

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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MORDECHAI TWERSKY, BARRY SINGER, JAY
GOLDBERG, DAVID BRESSLER, ZACHARY BELIL,
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4,
JOHN DOE 5, JOHN DOE 6, JOHN DOE 7, JOHN DOE 8,
JOHN DOE 9, JOHN DOE 10, JOHN DOE 11, JOHN DOE
12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15, JOHN
DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19,
JOHN DOE 20, JOHN DOE 21, JOHN DOE 22, JOHN
DOE 23, JOHN DOE 24, JOHN DOE 25, JOHN DOE 26,
JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN
DOE 30, JOHN DOE 31, JOHN DOE 32, and JOHN
DOE 33,

Plaintiffs,

-against-

YESHIVA UNIVERSITY, MARSHA STERN
TALMUDICAL ACADEMY—YESHIVA UNIVERSITY
HIGH SCHOOL FOR BOYS, PAT DOE 1-30,
MEMBERS OF THE BOARD OF TRUSTEES OF
YESHIVA UNIVERSITY, in their official and individual
Capacities, whose identities are presently unknown to
Plaintiffs, JAMES DOE 1-30, MEMBERS OF THE
BOARD OF TRUSTEES OF MARSHA STERN
TALMUDICAL ACADEMY—YESHIVA UNIVERSITY
HIGH SCHOOL FOR BOYS, in their official and individual
Capacities, whose identities are presently unknown to
Plaintiffs, NORMAN LAMM, in his official and individual
Capacity, and ROBERT HIRT, in his official and individual
Capacity,

Defendants.

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To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons (exclusive of the day of service), or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York.

SUMMONS

Index No.:

YOU ARE HEREBY NOTIFIED THAT should you fail to appear or answer, a judgment will be entered against you by default for the relief demanded in the complaint.

Plaintiff designates New York County as the place of trial. The basis of venue is Defendants' place of business.

Dated: August 22, 2019
Orangeburg, New York

Respectfully submitted,

KEVIN T. MULHEARN, P.C.

Kevin T. Mulhearn /S

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OF COUNSEL:

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Attorneys for Plaintiffs

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Yeshiva University
500 West 185th Street
New York, NY 10033
(212) 960-5400

The Names, Addresses & Phone Numbers for PAT DOE 1-30
And JAMES DOE 1-30 Are Unknown

SUPREME COURT OF THE STATE OF NEW YORK
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DOE 30, JOHN DOE 31, JOHN DOE 32, and JOHN
DOE 33,

Plaintiffs,

VERIFIED COMPLAINT

Index No.:

-against-

YESHIVA UNIVERSITY, MARSHA STERN
TALMUDICAL ACADEMY—YESHIVA UNIVERSITY
HIGH SCHOOL FOR BOYS, PAT DOE 1-30,
MEMBERS OF THE BOARD OF TRUSTEES OF
YESHIVA UNIVERSITY, in their official and individual
Capacities, whose identities are presently unknown to
Plaintiffs, JAMES DOE 1-30, MEMBERS OF THE
BOARD OF TRUSTEES OF MARSHA STERN
TALMUDICAL ACADEMY—YESHIVA UNIVERSITY
HIGH SCHOOL FOR BOYS, in their official and individual
Capacities, whose identities are presently unknown to
Plaintiffs, NORMAN LAMM, in his official and individual
Capacity, and ROBERT HIRT, in his official and individual
Capacity,

Defendants.

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Plaintiffs, MORDECHAI TWERSKY, BARRY SINGER, JAY
GOLDBERG, DAVID BRESSLER, ZACHARY BELIL, JOHN DOE 1,
JOHN DOE 2, JOHN DOE 3, JOHN DOE 4, JOHN DOE 5, JOHN DOE 6,

JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10, JOHN DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15, JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20, JOHN DOE 21, JOHN DOE 22, JOHN DOE 23, JOHN DOE 24, JOHN DOE 25, JOHN DOE 26, JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN DOE 30, JOHN DOE 31, JOHN DOE 32, and JOHN DOE 33, by their attorneys, KEVIN T. MULHEARN, P.C. and LAW OFFICES OF MICHAEL G. DOWD, complaining of Defendants, YESHIVA UNIVERSITY, MARSHA STERN TALMUDICAL ACADEMY—YESHIVA UNIVERSITY HIGH SCHOOL FOR BOYS PAT DOE 1-30, MEMBERS OF THE BOARD OF TRUSTEES OF YESHIVA UNIVERSITY, in their official and individual Capacities, whose identities are presently unknown to Plaintiffs, JAMES DOE 1-30, MEMBERS OF THE BOARD OF TRUSTEES OF MARSHA STERN TALMUDICAL ACADEMY—YESHIVA UNIVERSITY HIGH SCHOOL FOR BOYS, in their official and individual Capacities, whose identities are presently unknown to Plaintiffs, NORMAN LAMM, in his official and individual Capacity, and ROBERT HIRT, in his official and individual Capacity, hereby allege the following:

INTRODUCTION

1. This is an action pursuant to The Child Victims Act (enacted on February 14, 2019), in which the New York State Legislature amended the New York CPLR by adding CPLR § 214-g, which revives sexual abuse actions (involving both intentional conduct and negligence) that were previously time-barred under New York law. All of the claims asserted by Plaintiffs in this action are thus revived and now timely asserted.

2. Founded in 1886, Yeshiva University (“YU”) is a private university, which is located in New York, New York.

3. Founded in 1916, The Marsha Stern Talmudical Academy-Yeshiva University High School for Boys (“YUHS”) is an Orthodox Jewish high school that functions as the preparatory school for Yeshiva College (“YC”), YU’s undergraduate school for men.

5. YU’s Mission Statement stresses its “unique dual curriculum that teaches knowledge enlightened by values that helps our students gain the wisdom to make their lives both a secular and spiritual success.”

6. Starting in 1971 and spanning several decades, George Finkelstein (“Finkelstein”), an Assistant Principal, Associate Principal, and then Principal of YUHS, repeatedly sexually abused multiple student victims. Yet YU and YUHS administrators refused to take action against

Finkelstein, never reported him to law enforcement authorities, and – despite actual knowledge of his propensity to sexually assault children – never took any significant measures to prevent Finkelstein’s future abuse of children.

7. Finkelstein, as a YUHS administrator, specifically targeted vulnerable boys for physical and sexual abuse. He preyed upon children of Holocaust survivors and—after he abused them—implored these children to not add to their parents’ suffering by telling them about his assaults.

8. Finkelstein also used his power as a YUHS administrator to try and keep his victims from reporting his sexual assaults to their parents and other authorities.

9. As an example of his intimidating tactics, Finkelstein threatened to accuse his victims of cheating, to lower their grades, or otherwise harm their scholastic futures, if they reported his assaults to their parents or other authorities. Numerous students nevertheless found the courage to report Finkelstein’s sexual abuse to YU and YUHS administrators, but their complaints always fell on deaf ears.

10. YUHS Judaic Studies faculty member, Rabbi Macy Gordon (“Gordon”), who was employed by YU as a Judaic Studies teacher at YUHS from the mid-1950s to 1984, also repeatedly sexually abused students at YUHS. He was however not reported to law enforcement authorities even

after various victims came forward (beginning, upon information and belief, in the mid-1950s and 1960s) with detailed (and horrifying) complaints of his sexual abuse of children.

11. Gordon was vicious and sadistic in his abuse. On one occasion, in 1980, Gordon sprayed a young boy's genital area with Chloraseptic and then violently shoved a toothbrush (with toothpaste) up the boy's rectum. After this boy and his father reported Gordon's acts of sodomy (in detail) to YU's Vice President, Israel Miller, YU allowed Gordon to remain on YUHS's faculty, failed to notify law enforcement officials of Gordon's criminal acts, and failed to warn any students, parents, or prospective students, that Gordon was a known sexual predator.

12. Gordon then proceeded to sexually assault at least two more YUHS students during his tenure at the school (which ended, upon information and belief, in 1984).

13. Upon information and belief, YU and YUHS ignored *numerous* sex abuse complaints against George Finkelstein and Macy Gordon which were made to YU and YUHS administrators and officials between the 1950s and 1986.

14. This action is brought by 38 men who were sexually abused at YUHS (and at other locations) by YUHS faculty members and

administrators during their boyhoods, and have suffered from the lingering and devastating consequences of that abuse for decades. This number does not by any means represent the total number of YUHS students sexually molested by the sexual predators named herein, including Finkelstein, Gordon, and Andron.

15. Finkelstein, Gordon and Richard Andron (upon information and belief, a student or former student at YU and a YUHS dorm counselor), were repeatedly protected by administrators at both YUHS and YU at the considerable expense of the physical, emotional, psychological and spiritual well-being of the many children under their care (including each of the Plaintiffs).

VENUE

16. Venue is proper in this District because the claims arose in this District and a number of the Defendants reside in, transact business in, or maintain a principal place of business in this District.

PARTIES

17. Plaintiff, MORDECHAI TWERSKY (“TWERSKY”), is an adult individual residing in Israel. He attended YUHS from 1977 through 1981.

18. Plaintiff, BARRY SINGER (“SINGER”), is an adult individual residing in the State of New York. He attended YUHS from 1972 through 1975.

19. Plaintiff, DAVID BRESSLER, is an adult individual residing in the State of New York. He attended YUHS from 1981 through 1984.

20. Plaintiff, JAY GOLDBERG, is an adult individual residing in the State of New York. He attended YUHS from 1980 through 1984.

21. Plaintiff, ZACHARY BELIL, is an adult individual residing in the State of Florida. He attended YUHS from 1978 through 1982.

22. Plaintiff, JOHN DOE 1, is an adult individual residing in the State of New York. He attended YUHS from 1977 through 1981.

23. Plaintiff, JOHN DOE 2, is an adult individual residing in the State of New York. He attended YUHS from 1977 through 1980.

24. Plaintiff, JOHN DOE 3, is an adult individual residing in the State of Virginia. He attended YUHS from 1987 through 1989.

25. Plaintiff, JOHN DOE 4, is an adult individual residing in the State of New Jersey. He attended YUHS from 1979 through 1981.

26. Plaintiff, JOHN DOE 5, is an adult individual residing in the State of New York. He attended YUHS from 1982 through 1984.

27. Plaintiff, JOHN DOE 6, is an adult individual residing in the State of New Jersey. He attended YUHS from 1980 through 1981.

28. Plaintiff, JOHN DOE 7, is an adult individual residing in Israel. He attended YUHS from 1982 through 1983.

29. Plaintiff, JOHN DOE 8, is an adult individual residing in the State of New York. He attended YUHS from 1980 through 1983.

30. Plaintiff, JOHN DOE 9, is an adult individual residing in the State of New York. He attended YUHS from 1980 through 1983.

31. Plaintiff, JOHN DOE 10, is an adult individual residing in the State of New York. He attended YUHS from 1980 through 1983.

32. Plaintiff, JOHN DOE 11, is an adult individual residing in the State of New Jersey. He attended YUHS from 1978 through 1981.

33. Plaintiff, JOHN DOE 12, is an adult individual residing in the State of Florida. He attended YUHS from 1977 through 1978.

34. Plaintiff, JOHN DOE 13, is an adult individual residing in the State of Illinois. He attended YUHS from 1977 through 1981.

35. Plaintiff, JOHN DOE 14, is an adult individual residing in the State of New York. He attended YUHS from 1953 through 1959.

36. Plaintiff, JOHN DOE 15, is an adult individual residing in the State of New York. He attended YUHS from 1985 through 1986.

37. Plaintiff, JOHN DOE 16, is an adult individual residing in the State of New York. He attended YUHS from 1983 through 1985.

38. Plaintiff, JOHN DOE 17, is an adult individual residing in Israel. He attended YUHS from 1977 through 1981.

39. Plaintiff, JOHN DOE 18, is an adult individual residing in the State of New York. He attended YUHS from approximately 1980 through 1984.

40. Plaintiff, JOHN DOE 19, is an adult individual residing in the State of Florida. He attended YUHS from 1987 through 1988.

41. Plaintiff, JOHN DOE 20, is an adult individual residing in the State of New York. He attended YUHS from 1983 through 1987.

42. Plaintiff, JOHN DOE 21, is an adult individual residing in the State of California. He attended YUHS from 1988 through 1992.

43. Plaintiff, JOHN DOE 22, is an adult individual residing in the State of New York. He attended YUHS from 1975 through 1979.

44. Plaintiff, JOHN DOE 23, is an adult individual residing in the State of Florida. He attended YUHS from 1979 through 1982.

45. Plaintiff, JOHN DOE 24, is an adult individual residing in the State of New York. He attended YUHS from 1976 through 1980.

46. Plaintiff, JOHN DOE 25, is an adult individual residing in the State of Connecticut. He attended YUHS from 1981 through 1983.

47. Plaintiff, JOHN DOE 26, is an adult individual residing in the State of New York. He attended YUHS from 1976 through 1980.

48. Plaintiff, JOHN DOE 27, is an adult individual residing in Israel. He attended YUHS from 1977 through 1981.

49. Plaintiff, JOHN DOE 28, is an adult individual residing in the State of New York. He attended YUHS from 1974 through 1977.

50. Plaintiff, JOHN DOE 29, is an adult individual residing in the State of New York. He attended YUHS from 1984 through 1988.

51. Plaintiff, JOHN DOE 30, is an adult individual residing in the State of New Jersey. He attended YUHS from 1968 through 1972.

52. Plaintiff, JOHN DOE 31, is an adult individual residing in the State of California. He attended YUHS from 1979 through 1982.

53. Plaintiff, JOHN DOE 32, is an adult individual residing in the State of New York. He attended YUHS from 1971 through 1973.

54. Plaintiff, JOHN DOE 33, is an adult individual residing in the State of New York. He attended YUHS from 1978 through 1981.

55. Defendant, YUHS, is, and at all material times has been, a college preparatory school located in New York, New York. At all material

times, various students attended YUHS from 9th Grade through 12th Grade.

56. Defendant, Yeshiva University (“YU”), is, and at all material times has been, a private undergraduate and graduate university located in New York, New York.

57. Defendant, NORMAN LAMM (“Lamm”), is the former President (and Chancellor) of YU, who resides, upon information and belief, in the State of New York.

58. Defendant, ROBERT HIRT (“Hirt”), is a Vice President of YU’s affiliated Rabbi Isaac Elchanan Theological Seminary (“RIETS”), who resides, upon information and belief, in the State of New York.

59. At all material times, from 1976 to 2003, Lamm was the President (and top administrator) of YU.

60. At all material times, Defendant Hirt, from 1986 to a date unknown, was a Vice President of Administration of RIETS and/or Special Adviser to the President of YU.

61. At all material times, Defendants Lamm and Hirt acted within the course of their employment as agents, servants, and/or employees of Defendant YU and/or Defendant YUHS.

62. Defendants, PAT DOE 1-30, various members of YESHIVA UNIVERSITY BOARD OF TRUSTEES, were from various times – from

1971 to present – members of the YESHIVA UNIVERSITY BOARD OF TRUSTEES, and, upon information and belief, acted in the course of their employment as agents, fiduciaries, servants, and/or employees of Defendant YU.

63. At this time Plaintiffs have not received discovery of the names and addresses of all living YESHIVA UNIVERSITY BOARD OF TRUSTEES members, from 1971 to present.

64. Defendants, JAMES DOE 1-30, various members of MARSHA STERN TALMUDICAL ACADEMY—YESHIVA UNIVERSITY HIGH SCHOOL FOR BOYS BOARD OF DIRECTORS, were from various times – from 1971 present – members of the MARSHA STERN TALMUDICAL ACADEMY—YESHIVA UNIVERSITY HIGH SCHOOL FOR BOYS BOARD OF DIRECTORS, and, upon information and belief, acted in the course of their employment as agents, fiduciaries, servants, and/or employees of Defendant YUHS and/or Defendant YU.

65. At this time Plaintiffs have not received discovery of the names and addresses of all living MARSHA STERN TALMUDICAL ACADEMY—YESHIVA UNIVERSITY HIGH SCHOOL FOR BOYS BOARD OF DIRECTORS members, from 1971 to present.

CORPORATE RELATIONSHIP BETWEEN YUHS AND YU

66. At all material times, YUHS was closely managed, directed, and controlled, by YU and the YU Board of Directors, as well as the Board of Directors at RIETS.

67. At all material times, YU and the YU Board of Trustees, as well as the Board of Directors at RIETS, had oversight, control, and autonomy over the appointment and hiring and firing decisions of all administrators and faculty at YUHS.

PLAINTIFFS' SPECIFIC ALLEGATIONS OF ABUSE**Mordechai Twersky**

68. In or about 1977, Plaintiff, MORDECHAI ISRAEL TWERSKY ("TWERSKY"), began attending YUHS. TWERSKY graduated from YUHS in 1981 and attended YESHIVA COLLEGE ("YC") from 1981 to 1985.

69. On two occasions, in or about the Spring and Summer of 1980, once in Finkelstein's YUHS office, and once at Finkelstein's home after he summoned TWERSKY under the guise of wanting to talk to him or "study the Torah" with him, Finkelstein sexually abused TWERSKY.

70. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, within months of his abuse, TWERSKY

began to isolate himself socially, experience severe concentration problems, and suffer from depression.

73. TWERSKY's symptoms included flashbacks, intrusive thoughts, rage, diminished self-confidence and self-loathing.

74. As a direct and proximate cause of Finkelstein's abuse, TWERSKY's post-trauma prompted him to seek the attention of the appropriate health professionals and pursue a course of treatment that has at times included medication.

75. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, TWERSKY has incurred considerable costs for his medical care. Over the course of three decades, TWERSKY has incurred inestimable financial losses during prolonged periods of inactivity brought about by depression and other manifestations triggered by the destructive effects of the abuse against him.

76. For decades, TWERSKY was forced to lead a life of quiet desperation, haunted by the demons borne from the abuse by Finkelstein – his (supposedly) trusted mentor – and by the institution that, while well aware of Finkelstein's abuse of students, allowed him to remain in a position of the highest trust and responsibility. In doing so, Defendants provided

Finkelstein with a fertile breeding ground within which to carry out his ongoing abuse of TWERSKY and many others.

77. TWERSKY's physical and emotional abuse by Finkelstein, moreover, has been exacerbated by the pain and humiliation inflicted on him by the YU Defendants, who marginalized him, ignored his complaints, allowed other boys to be abused, and threatened him in an effort to coerce him to not publicize his allegations or take legal action.

78. In 1983, TWERSKY approached YU's President, Rabbi Lamm, and advised him that he (TWERSKY) had been sexually abused by Finkelstein when he (TWERSKY) was a student at YUHS. TWERSKY had this conversation with Lamm for the purpose of inducing Lamm and the YU Defendants to act in a responsible manner and safeguard the current and future students at YU.

79. However, despite this direct conversation, Lamm and the YU Defendants, upon information and belief, expressed no concern for TWERSKY's well-being; did not offer a course of treatment; and failed to take any steps to safeguard children at YUHS (and elsewhere) from the ongoing sexual assaults of Finkelstein.

80. After this conversation, Lamm and the YU Defendants failed to notify students, parents, former students, alumni, or law enforcement authorities, that they had received credible information from a former student (TWERSKY) that Finkelstein had previously sexually assaulted boys at YUHS.

81. After this conversation, Lamm and the YU Defendants failed to terminate Finkelstein from the administration of YUHS.

82. After this conversation, Lamm and the YU Defendants did absolutely nothing to protect children at YUHS and at Finkelstein's two successive places of employment in senior academic and administrative positions which brought him into contact with children and young men.

83. To the contrary, in or about the late 1980s, YU promoted Finkelstein as Principal of YUHS.

84. To the contrary, after Lamm's conversation with TWERSKY in 1983, YUHS and YU continued to make frequent and regular representations, in school events attended by students, and in school publications received by students, parents, former students, and alumni, that Finkelstein was highly regarded by YUHS and YU, that Finkelstein remained in good standing, that Finkelstein was a man of strong moral character, that Finkelstein was a trustworthy man, and that Finkelstein was a

positive role model for boys and well-suited to lead them in their journey to learning traditional Jewish principles and traditions and how to live based on the sacred tenets of the Torah.

85. In 1985, despite having received numerous complaints that Finkelstein had sexually abused boys at YUHS, YU, Lamm, and the YU Defendants conferred upon Finkelstein the honor of “Educator of the Year.”

86. YU, YUHS, Lamm, and the YU Defendants thus continued to represent to students, parents, prospective students, former students, and members of the YU community that Finkelstein was a valued administrator, a trustworthy man, a man of high moral character, an exemplary role model, and a proper man to educate Jewish boys in the best tradition of Jewish education and in the sacred values and principles of the Torah.

87. Lamm himself also bestowed a high honor upon Finkelstein in 1995, awarding him the prestigious Heritage Award (for his service to YU), at a gala fundraising event for YUHS, when in fact the school had terminated Finkelstein for sexual misconduct. YU proudly announced this award with advertisements and announcements (several of which included Finkelstein’s photograph) which were published in March, 1995 in, *inter alia*, The New York Jewish Press and other Jewish newspapers across the United States.

88. At said dinner, moreover, YU announced that Finkelstein would be assuming a similar position at a Jewish day school (the “Hillel School”) in Florida.

89. On March 29, 1995, YU and YUHS issued a press release which stated in pertinent part that: “Rabbi George B. Finkelstein . . . received the Heritage Award from Dr. Norman Lamm, president of Yeshiva University, at the annual dinner of Yeshiva University High Schools (YUHS). Rabbi Finkelstein, principal of The Marsha Stern Talmudical Academy – YUHS for Boys in Manhattan, has been a faculty member and administrator at TMSTA for more than 25 years. . . The event drew an audience of 600 to the New York Hilton in Manhattan and raised \$456,000.00 on behalf of YUHS[.]”

90. The aforesaid entirely positive representations about Finkelstein were made by the YU Defendants despite their knowledge that they were false (or, at most, half-truths), and that Finkelstein had a propensity to sexually abuse boys, and that YUHS and YU were not safe academic environments, and that YUHS, specifically Finkelstein, was indoctrinating its children in ways antithetical to the teachings of the Torah (i.e., diametrically opposed to the oft-stated mission statement of YUHS).

91. These misrepresentations were made by the YU Defendants with the specific intent of inducing victims of Finkelstein's abuse to continue to falsely believe that YU administrators had no knowledge of Finkelstein's sexual abuse of boys, and no knowledge of the numerous specific abuse complaints made against Finkelstein to various YU administrators and officials, and thus to induce Finkelstein's numerous victims to refrain from initiating a lawsuit against YU, YUHS, or any of the YU Defendants.

92. In 2000, TWERSKY contacted Michael Broyde, a RIETS-ordained Rabbi who had established a YU-affiliated Beth Din, or Rabbinic Court, for the adjudication of disputes. After Broyde, a professor of law at Emory University in Atlanta, Georgia, told TWERSKY that Finkelstein's acts of abuse "were not flagrant enough" to warrant Beth Din consideration, TWERSKY again contacted Lamm via e-mail and again raised the issue of his abuse. TWERSKY wrote that he felt "pained" and "wronged" and asked for compensation as a result of his suffering at the hands of Finkelstein, YUHS, and YU.

93. However, despite this email communication from TWERSKY, Lamm and the YU Defendants, upon information and belief, took no actions whatsoever to safeguard children at the Hillel School (and elsewhere) from

the ongoing sexual assaults of Finkelstein. (To the contrary, by their craven silence and inaction, the YU Defendants allowed Finkelstein, a known sexual predator, to continue to have unfettered access to potential victims in another school and in another state).

94. After this email communication, Lamm and the YU Defendants failed to notify students, parents, former students, alumni, or law enforcement authorities, that they had received credible information from a former student (TWERSKY) that Finkelstein had previously sexually assaulted boys at YUHS.

95. Upon information and belief, after this communication, Lamm and the YU Defendants failed to seek or promote Finkelstein's termination from the faculty/administration of the Hillel School.

96. After this communication, Lamm and the YU Defendants did absolutely nothing to protect children at the Hillel School (and elsewhere) from the predatory behavior of Finkelstein.

97. Lamm never responded to TWERSKY's 2000 email.

238. In 2000, however, Lamm directed Israel Miller, YU's Senior Vice President, to contact TWERSKY and meet with him in Israel.

98. Miller met with TWERSKY in Israel in the Summer of 2000. At this meeting, Miller took copious notes.

99. During that 2000 meeting in Israel, Miller issued a direct threat to TWERSKY which was designed to discourage TWERSKY from taking legal action against the YU Defendants.

100. Miller told TWERSKY, in words or substance, that if he (TWERSKY) proceeded with his complaints against YU and Finkelstein, the result "would not be good for you or for Yeshiva."

101. Neither Lamm nor Miller offered TWERSKY an option or course of treatment, or counseling, or an apology.

102. Shortly after that meeting, TWERSKY, feeling intimidated and deeply despondent, attempted to take his own life.

103. In 2001, TWERSKY approached Richard Joel, who later became the President of YU, and conveyed to him the allegations pertaining to Finkelstein's sexual abuse. Joel had prominently led a commission of inquiry into acts of abuse by Baruch Lanner, a noted member of the Jewish community.

104. At no point since that conversation has Joel attempted to contact TWERSKY or to offer TWERSKY guidance, counsel, treatment, support, or assurances that the YU Defendants would take appropriate steps to ensure that Finkelstein would face accountability for his actions or be foreclosed from having an opportunity to abuse any other children.

105. TWESRKY attempted to reach Joel again in 2014, but was unsuccessful.

106. The Forward newspaper reported on November 25, 2013 that “Joel did not take these allegations seriously . . . ‘I spoke with him a bit.’ Joel explained in a 2004 email to a colleague, describing a complaint TWERSKY made to him years before he took up his post at Y.U. ‘[I] told him to get on with his life, that I didn’t see a case and that Finkelstein was out of the education business.’”

107. To the contrary, both Lamm (as Chancellor of YU) and Joel (in his tenure as President of YU) maintained close ties with Finkelstein and visited the institution in Israel where Finkelstein assumed its highest ranking administration position: Director General of Jerusalem’s Great Synagogue.

108. Moreover, under Richard Joel’s leadership as YU President, YU has held several official events at the Jerusalem Great Synagogue, where Finkelstein served as Director General from 2001 through December 2012, when he tendered his resignation on the day The Jewish Daily Forward reported on Finkelstein’s abuses.

109. Upon learning in December, 2012, that Defendants had specific and detailed knowledge that Rabbis in their employ were sexual predators and that these same Defendants actively denied that such knowledge existed,

lied to those who came forward with information, induced children to attend (and stay at) their school with full knowledge that they would be subject to sexual abuse, and heaped praise on the abusers long after they were no longer employed, Plaintiff TWERSKY became emotionally distraught and nearly inconsolable, knowing that Defendants could have prevented a known sexual predator from causing him harm. All attempts made by Plaintiff TWERSKY, to come to grips with past abuser and/or attempts to bury it were ripped apart by the revelations that those entrusted with the task of providing a Jewish education and taking care of their students' bodies, minds, spirits and well being chose to subject them to the sick and dangerous whims of known child molesters. The resulting betrayal opened fresh, new and very deep emotional wounds.

110. Plaintiff TWERSKY notified multiple officials of YUHS and YU, that he had been the victim of abuse. Plaintiff TWERSKY undertook these actions and made these notifications to both alert the school concerning Finkelstein's criminal conduct AND to investigate whether or not the school was aware of Finkelstein's predilection to abuse young boys.

111. In each instance, Plaintiff TWERSKY was misinformed and led to believe that his complaint was baseless. Consequently, Plaintiff

TWERSKY was affirmatively deceived by Defendants in his efforts to learn the truth.

112. As a direct and proximate result of Finkelstein's abuse and Defendants' conduct, TWERSKY has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish. He has also incurred considerable costs for his medical care.

113. TWERSKY again attempted to take his own life in 2018.

Barry Singer

114. In or about 1972, Plaintiff BARRY SINGER ("SINGER") began attending YUHS.

115. On multiple occasions from 1972 through 1975, SINGER was sexually abused by Finkelstein. This abuse occurred in front of others in public hallways, and once in a public stairwell, as well as in private, behind closed doors.

116. Having frequently rebuffed Finkelstein's advances throughout his first two years at the school, SINGER, in 1973, was attacked by Finkelstein in a stairwell in front of other students, while changing classes. Bursting out of a doorway on the fourth floor, Finkelstein grabbed SINGER from behind, spun him around and pushed him over the stair railing, while groping SINGER's genital region in a Tzitzis check. (Tzitzis are ritual

garments, as required by Jewish law). Finkelstein announced, in a taunting voice, to SINGER and the other students that if SINGER wasn't wearing Tzitzis this time, "he was going down." For better or worse, SINGER was wearing Tzitzis.

117. SINGER was subjected to Finkelstein groping his genitals in school hallways in front of his classmates, under the guise of Finkelstein trying to ascertain whether SINGER was wearing his Tzitzis.

118. Finkelstein also forced SINGER to endure various wrestling incidents in Finkelstein's office, during which he would hump SINGER and demand that SINGER wrestle with him; which SINGER repeatedly refused to do so. These abuse incidents occurred approximately 6-7 times.

119. SINGER was also severely abused emotionally by Macy Gordon throughout his junior year (1973-1974) in Gordon's class with taunts, threats, castigation and punishment. On one occasion, however, Gordon went beyond emotional abuse; he called SINGER to the front of the class and groped him publicly in a Tzitzis check that was searingly humiliating.

120. As a direct and proximate result of Finkelstein's and Gordon's abuse and the misconduct of the YU defendants, SINGER has battled severe emotional distress and pain throughout his adult life.

121. As a direct and proximate result of Finkelstein's and Gordon's abuse and the misconduct of the YU Defendants, SINGER has frequently been treated by psychologists and other therapists (at considerable costs) as a result of his mental and emotional struggles.

122. As a direct and proximate result of Finkelstein's and Gordon's abuse and the misconduct of the YU Defendants, SINGER has struggled with severe trust and authority issues and has difficulty in forming and maintaining relationships.

123. As a direct and proximate result of Finkelstein's and Gordon's abuse and the misconduct of the YU Defendants, SINGER lost his religious faith completely. His relationship with his parents deteriorated as his parents ostracized him for abandoning Judaism. This caused him great anguish.

124. As a direct and proximate result of Finkelstein's and Gordon's abuse and the misconduct of the YU Defendants, SINGER (who did not marry until he was 45), has been traumatized to find his marriage irreparably damaged by his inability to give of himself in a mutually trusting sexual relationship with his wife. He is now recently divorced. His now ex-wife divorced him during the appeal phase of Singer's initial lawsuit (filed in federal court) against YU.

125. As a direct and proximate result of Defendants' conduct, SINGER has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

Jay Goldberg

126. In or about 1980, Plaintiff JAY GOLDBERG ("GOLDBERG") began attending YUHS.

127. On multiple occasions, from 1983 to 1984, in Finkelstein's YUHS office, GOLDBERG was sexually abused by Finkelstein.

128. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, GOLDBERG has suffered from emotional distress, mental anguish, severe depression, guilt, anxiety, relationship issues, and various other afflictions.

129. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, GOLDBERG has been diagnosed with Post Traumatic Stress Disorder and has been treated by psychotherapists (at considerable costs).

130. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, GOLDBERG consistently has nightmares of Finkelstein raping him, and is haunted by the abuse to which he was subjected.

131. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, GOLDBERG suffers from uncontrolled rage and anger management issues so severe that he once broke his own hand.

David Bressler

132. In or about 1981, Plaintiff DAVID BRESSLER ("BRESSLER") began attending YUHS.

133. On at least one occasion in 1984, in a room near Finkelstein's office at YUHS, BRESSLER was sexually abused by Finkelstein.

134. On numerous other occasions Finkelstein put his hands down BRESSLER's pants (under the guise of checking to see if he was wearing required religious garments) in his office, asked BRESSLER to hit him, and invited him, on more than twenty occasions, to come to his apartment for "dinner."

135. Finkelstein frequently called BRESSLER out of class during school hours and instructed him to meet Finkelstein in his office, whereupon Finkelstein would often press his body against BRESSLER's under the guise of wrestling. Finkelstein also frequently stopped and accosted BRESSLER in the YUHS stairwells.

136. Finkelstein then warned BRESSLER's parents that their son would receive a failing grade in his Hebrew studies unless he came to his apartment at least once a week to "study with me."

137. During BRESSLER's junior year at YUHS, after BRESSLER fought back against Finkelstein's assaults, Finkelstein began to harass BRESSLER regarding pretextual school issues, and told BRESSLER that he was required to attend weekly private one-on-one tutoring sessions with Finkelstein on Fridays over the summer. When BRESSLER refused that edict, he was dismissed from YUHS. He subsequently enrolled in public school to complete his high school education.

138. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants in their enabling, facilitating and exacerbation of said abuse by their conduct and conspiracy, BRESSLER suffered severe emotional and physical consequences.

139. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, BRESSLER has suffered from severe emotional trauma characterized by bouts of destructive behavior, serious problems with anger management, destructive career damaging behavior (such as an inability to work in offices with open workspaces), and an inability to engage in long-term interpersonal relationships.

140. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, BRESSLER is completely estranged from his family and has lost all identification with his Jewish faith. BRESSLER's estrangement from his family, which was caused primarily by his family blaming him (instead of his abuser and his abuser's enablers) for his expulsion from YUHS, is tragic: his own parents have never met his wife and no one in his family, including grandfather, parents, step-parent, siblings and their spouses, has ever met either of his children except on one isolated occasion where BRESSLER's brother met his newborn son in the maternity ward of the hospital in which he was born.

141. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, BRESSLER has been diagnosed with and treated for PTSD and has been in therapy, on an on-going basis, for approximately twenty years, often seeking counseling as many as three times per week.

Zachary Belil

142. In or about 1978, Plaintiff ZACHARY BELIL ("BELIL") began attending YUHS.

143. On numerous occasions, BELIL was sexually abused by Finkelstein. His abuse began shortly after BELIL began attending YUHS in

1978 and did not left until BELIL left YUHS in 1982. His abuse occurred in Finkelstein's office at YUHS, in the stairwells on the north and south sides of the YUHS school building, and at Finkelstein's apartment in Washington Heights.

144. Finkelstein often used the pretext of checking to see if BELIL was wearing his Tsitzit ritual garments to abuse him. He would rub his hands up BELIL's torso and then down his waist. While touching BELIL, Finkelstein would ask him questions about the Talmud. When BELIL could not provide correct answers, Finkelstein would twist his arm behind his back while holding his mouth close to BELIL's ear. On many occasions, BELIL felt Finkelstein's erection pressing against his body. On one occasion, Finkelstein demanded that BELIL slap him in the face.

145. On several occasions, BELIL was sexually abused by Finkelstein in Finkelstein's New York City apartment. Finkelstein lured BELIL to his apartment by telling him he needed to receive tutoring. When BELIL would answer Finkelstein's questions incorrectly, Finkelstein would wrestle BELIL down to the floor, get on top of him, and rub his erect penis all over BELIL's body, including his backside and legs. Finkelstein's excited face would often turn red

146. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, BELIL regularly abused recreational drugs such as marijuana, cocaine, and ecstasy, suffered from profound anger, had repeated relationship difficulties, has under-achieved professionally, and has never married nor had any children. His abuse, moreover, led directly to a devastating loss of his Jewish faith and belief in God.

147. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, BELIL has undergone extensive mental health care and treatment (at considerable costs) while suffering from severe depression and anxiety.

148. As a direct and proximate result of Defendants' conduct, BELIL has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 1

149. Plaintiff, JOHN DOE 1, attended YUHS from 1977 through 1981.

150. In or about 1977, Plaintiff JOHN DOE 1 began attending YUHS.

151. On numerous occasions between approximately 1977 and 1979, JOHN DOE 1 was sexually abused by George Finkelstein.

152. The abuse occurred in Finkelstein's office at YUHS.

153. Finkelstein's abuse of JOHN DOE 1 included but was not limited to, Finkelstein wrestling with, humping, and rubbing his erect penis against JOHN DOE 1's body.

154. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 1 suffers from constant bouts of anxiety and depression.

155. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 1 has required the services of mental health professionals (at considerable costs) to treat his anxiety and depression.

156. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 1 has suffered, and continues to suffer, from severe emotional pain, distress, and mental anguish.

John Doe 2

157. In or about 1977, Plaintiff JOHN DOE 2 began attending YUHS.

158. On one occasion, in 1980, in JOHN DOE 2's YUHS dormitory room, JOHN DOE 2 was sexually abused and sodomized by Macy Gordon.

159. After the brutal attack by Gordon, JOHN DOE 2 attempted to commit suicide in his dormitory room.

160. YUHS dorm officials insisted that JOHN DOE 2 seek counseling. JOHN DOE 2 met with the school's psychologist, but was afraid to tell him the truth about Gordon's criminal assault because the psychologist was a member of Macy Gordon's Teaneck, N.J. synagogue.

161. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 2 suffered severe emotional, physical, and economic consequences.

162. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 2 left YUHS after the abuse and never continued his studies there.

163. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants in failing to take appropriate action against Gordon or provide support for his victims, JOHN DOE 2 has endured years of severe emotional distress and mental anguish.

164. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 2 has developed extreme

distrust of others, especially authority figures, and has had difficulty forming and maintaining relationships.

165. In the fall of 1980, JOHN DOE 2 and his father met with Rabbi Israel Miller (“Miller”), Vice President of YU, and reported the specific and horrific details of his abuse incident.

166. Miller took detailed notes during the meeting.

167. Miller indicated to JOHN DOE 2 (and his father) that he would inform President Norman Lamm of the incident and take appropriate action against Gordon.

168. Upon information and belief, Miller promptly thereafter told Lamm and various other YU administrators and/or trustees about JOHN DOE 2’s specific allegations against Gordon.

169. Yet, no apparent disciplinary action was taken against Gordon by YU or YUHS (or their administrators, trustees, or directors).

170. As a direct and proximate result of Gordon’s abuse and the misconduct of the YU Defendants, JOHN DOE 2 is forced to avoid synagogue services (which cause him to have flashbacks of Gordon’s assault), experiences painful flashbacks whenever he sees or hears about one of the everyday implements used in his sodomization.

171. In 2002, a prominent YUHS alumnus (Dr. Jonathan Zizmor) endowed an annual scholarship at YU in the name of his former teacher, Macy Gordon. Dr. Zizmor practiced medicine in New York City until 2016 and during that time he advertised on the New York City subway line that JOHN DOE 2 frequently took to work. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, therefore, JOHN DOE 2 experienced extreme emotional distress and mental anguish (for about fifteen years, until Dr. Zizmor suspended his advertising) every time he saw the name and picture of the donor of the YU Macy Gordon Scholarship (Dr. Jonathan Zizmor) on the subway.

172. As a direct and proximate result of Defendants' conduct, JOHN DOE 2 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 3

173. In or about 1987, Plaintiff JOHN DOE 3 began attending YUHS.

174. On multiple occasions, in 1988, in Finkelstein's YUHS office, JOHN DOE 3 was sexually abused by Finkelstein. This abuse occurred after several allegations had been made against Finkelstein and remained unaddressed.

175. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 3 suffered severe emotional, physical, and economic consequences.

176. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 3 has required therapy, anti-depressant medication, and psychiatric treatment (at considerable costs and expense) since he was 16 years old.

177. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 3 attempted suicide shortly after leaving YUHS.

178. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 3 has abandoned his Jewish religion and did not marry until 2011, at age 38.

179. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 3 is manic depressive and has been diagnosed with clinical depression and ADHD.

John Doe 4

180. In or about 1979, Plaintiff JOHN DOE 4 began attending YUHS.

181. JOHN DOE 4 graduated from YUHS in 1981 and attended Yeshiva College from 1981 through 1986. In 1982-1983 JOHN DOE 4 spent time studying in Israel (Yeshivat Sha'alvim) pursuant to a study abroad program under the auspices of YU.

182. On multiple occasions, from 1980 through 1983, on YUHS grounds, at Finkelstein's apartment, and in Israel, Finkelstein sexually abused JOHN DOE 4. This abuse included Finkelstein rubbing his genitals against JOHN DOE 4 under the guise of "wrestling," groping JOHN DOE 4's genitals, pressuring JOHN DOE 4 to consent to further sexual activity and berating JOHN DOE 4 for non-compliance, and threatening the mentoring relationship through which he had groomed JOHN DOE 4.

183. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 suffered from an addiction to sex, which included compulsively seeking sexual gratification with multiple high-risk partners, pornography, internet and print relationship sites, intrigue, fantasy, objectification and aberrant sexual behaviors, and became a compulsive over-eater.

184. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 has submitted to sexual domination and struggled with his sexual orientation. These addictions

caused JOHN DOE 4 to expend hundreds of thousands of dollars in the pursuit of sexual gratification, and ultimately nearly caused the destruction of his marriage and his complete alienation from his four children.

185. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 has been diagnosed with, and suffers from, post traumatic stress disorder ("PTSD"). JOHN DOE 4's symptoms, with respect to this condition, include nightmares, waking flashbacks, intrusive thoughts, constant feelings of impending doom, depression, rage and self-loathing. The physical manifestations of his disorder include experiencing tremors (often impacting his entire body) that can last for many hours. Behavioral manifestations of this disorder include hypervigilance, hyper-reactivity and fits of uncontrolled rage.

186. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 suffers from severe anxiety and depression. JOHN DOE FOUR'S symptoms in this regard are so intense that he was unable to go to work, get himself dressed or even get out of bed, which has made it difficult for him to find and maintain employment. He has also openly (verbally) contemplated expressed suicide ideation on at least three occasions in the past ten years. Additionally, several of JOHN DOE 4's family members are experiencing mental health

issues caused by witnessing his anxiety, experiencing the trauma of his reactivity and the effects of his addictions. JOHN DOE 4's wife and three of his children have been in the care of mental health therapists and psychiatrists for PTSD, Obsessive Compulsive Disorder and mood disorders.

187. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 has become a compulsive over-eater which resulted in him having been diagnosed as a Type II diabetic. This disease requires him to be under the care of several specialists and take multiple medications (at a significant cost) to help stabilize his metabolism and slow the negative effects of this chronic disease.

188. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 requires the on-going services of a mental health therapist, group therapy, and a psychiatrist (at considerable costs), and, in addition, must maintain a pharmacological regimen that requires him to take multiple medications to help stabilize his mood and allow him to function in a reasonably competent manner.

189. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 became addicted to sex, sexual activity, and pornography. These addictions caused JOHN DOE 4 to

expend hundreds of thousands of dollars in the pursuit of sexual gratification, and ultimately nearly caused the destruction of his marriage and his complete alienation from his four children.

190. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 has battled throughout his entire adult life with a myriad of severe and crippling physical, emotional and psychological problems that nearly cost him his livelihood, his marriage and, ultimately, his life.

191. As a direct and proximate cause of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 4 has expended hundreds of thousands of dollars to satiate his addictive cravings, thousands of dollars for treatment of his multiple medical and psychological problems, lost numerous opportunities for career advancement, and lacked the ability to engage in constructive social interaction with potential colleagues, business associates and friends.

192. For decades, JOHN DOE 4 has been forced to lead a life of pain and regret, which has been directly and severely impacted by the abuse of Finkelstein – his (supposedly) trusted mentor – and by the institution that, while well aware of Finkelstein's abuse of students, allowed him to remain in a position of the highest trust and responsibility. In so doing, YU

provided Finkelstein with a fertile breeding ground within which to carry out his ongoing abuse of JOHN DOE 4 and others.

193. As a direct and proximate result of Finkelstein's abuse and Defendants' conduct, JOHN DOE 4 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

194. As a direct and proximate result of Finkelstein's abuse and Defendants' conduct, JOHN DOE 4 has questioned his faith, experiences lapses in religious observance, feels betrayed by the leadership of the Orthodox Jewry, and feels like there is no place for him in institutional Judaism.

195. As a direct and proximate result of Finkelstein's abuse and Defendants' conduct, JOHN DOE 4 has developed an inherent mistrust of people in general and authority figures in particular. This mistrust manifests itself in inappropriate reactivity and defensiveness when engaging with employees, co-workers, clients, and family members, often producing negative employment, financial, emotional and social consequences.

John Doe 5

196. In or about 1982, Plaintiff JOHN DOE 5 began attending YUHS.

197. On several occasions, in 1983, at Finkelstein's office in YUHS, JOHN DOE 5 was sexually abused by Finkelstein.

198. During the winter of 1983, JOHN DOE 5 was asked to report to Finkelstein's office at the end of the school day. When he arrived, Finkelstein was alone in the administrative office suite. He closed the door of his private office behind us and the two sat down in chairs on opposite sides of his desk. Finkelstein expressed his disappointment with JOHN DOE 5's academic effort and performance and then began to ask him questions relevant to his Talmudic and Hebrew language studies. When JOHN DOE 5 was unable to answer one of the questions to his satisfaction, Finkelstein came from around his desk, put his arms around JOHN DOE 5's neck in a headlock with enough force to tip his chair backward as they both fell to the ground. While they were lying on the floor of his office, Finkelstein again locked his arms tightly around JOHN DOE 5's neck and asked if his memory was improving. Finkelstein then pushed JOHN DOE 5's face into the carpet with his hands and wrapped his thighs in a scissor position around his torso. He was squeezing so tightly that JOHN DOE 5 was unable to stop himself from expelling gas. As the two struggled, Finkelstein continued to try to keep his legs wrapped around JOHN DOE 5's torso and neck, and grinded against him from the side and back. JOHN

DOE 5 felt his penis through his pants as he pushed against his hips and waist with all his weight. This abusive conduct continued for about half an hour and for much of the time JOHN DOE 5 was using all his strength trying to get free. JOHN DOE 5 emphatically asked Finkelstein to stop many times.

199. Finkelstein's second assault of JOHN DOE 5, which took place a couple of months later, was almost identical to the first attack, but this time JOHN DOE 5 fought harder and was able to free himself from the room after enduring about 20 minutes of Finkelstein's abuse.

200. After these assaults, JOHN DOE 5 notified his father of Finkelstein's abuse. JOHN DOE 5's father, an ordained rabbi who had graduated from YU's theological seminary, then called David Weinbach, YUHS's then Principal, and notified him of the abuse incidents involving his son. Weinbach then told JOHN DOE 5's father that "it wouldn't happen again."

201. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU defendants in enabling, facilitating and exacerbation of said abuse by its criminal conduct and conspiracy, JOHN DOE 5 suffered severe emotional stress and pain and suffering.

202. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 5 lives with constant emotional pain, resentment and shame. He has struggled with alcohol abuse and anxiety disorder most of his adult life in spite of the absence of any family history of alcohol or substance abuse. Prior to the attacks by Finkelstein, JOHN DOE 5 never had an alcoholic drink or struggled with anxiety. He started to abuse alcohol and marijuana shortly after the second incident in 1983 and did so for about 30 years. His alcohol and drug use was a ways to self medicate his anxiety and sleep disorders that started shortly after his junior year at YUHS.

203. Since High School, JOHN DOE 5 has had problems with intimacy and trust, especially when dealing with authority figures, which has caused him to be fired from several jobs in spite of good performance and has led to numerous failed business opportunities and financial hardship.

204. JOHN DOE 5 experienced what therapists describe as a prolonged adolescence (failure to launch) or delay in adopting the responsibilities of adulthood. He didn't receive his college degree until he was 35; he got married at 39, and had his first child at 40.

John Doe 6

205. In or about 1980, Plaintiff JOHN DOE 6 began attending YUHS. JOHN DOE 6's parents were both Holocaust survivors.

206. On one occasion in 1980, JOHN DOE 6 was sexually abused by Finkelstein. This abuse occurred in Finkelstein's YUHS office.

207. Prior to the abuse incident, Finkelstein demanded that JOHN DOE 6 hit him. JOHN DOE 6 refused to do so. When Finkelstein began to wrestle with JOHN DOE 6, JOHN DOE 6 began to cry.

208. After the abuse incident, in 1981, Finkelstein fabricated a story about JOHN DOE 6 cheating on an exam. Finkelstein threatened to inform JOHN DOE 6's parents of the phantom cheating incident, which caused JOHN DOE 6 to sob and beg Finkelstein to not call his parents. This incident is a clear example of Finkelstein's emotional manipulation of his victims in order to maintain power and control.

209. JOHN DOE 6, indeed, was coaxed by Finkelstein into his office late at night after a chance encounter on the street in front of the YUHS dormitory. Finkelstein claimed to express sincere interest in JOHN DOE 6's welfare. Five minutes into the seemingly innocuous discussion, the sexual assault began. Finkelstein wrestled JOHN DOE 6 to the floor and sat on top of him with his erect penis rubbing against JOHN DOE 6's crotch. Then,

Finkelstein told JOHN DOE that his parents, as Survivors, would be extremely upset if they found out that JOHN DOE 6 has “cheated”.

210. As a direct and proximate result of Finkelstein’s abuse and the misconduct of the YU Defendants, JOHN DOE 6 has suffered from severe depression and anxiety, paranoia, hyper-vigilance, and deep mistrust of individuals, particularly those in positions of authority

211. As a direct and proximate result of Finkelstein’s abuse and the misconduct of the YU Defendants, JOHN DOE 6 has been treated for panic attacks and been diagnosed with a General Anxiety disorder.

212. As a direct and proximate result of Finkelstein’s abuse and the misconduct of the YU Defendants, JOHN DOE 6 has suffered from relationship problems, most notably a divorce from his wife.

John Doe 7

213. In or about 1982, Plaintiff JOHN DOE 7 began attending YUHS.

214. On one occasion, in or about 1982, in Finkelstein’s YUHS office, JOHN DOE 7 was sexually abused by Finkelstein in the presence of David Weinbach, YU’s then Principal, in Finkelstein’s office. Finkelstein wrestled JOHN DOE 7 to the floor and then humped and grinded his erect penis into JOHN DOE 7’s backside.

215. On another occasion, in or about 1983, after being invited to Andron's New York City apartment, JOHN DOE 7 was sexually abused by Richard Andron. Andron was allowed to roam the halls of the Strenger High School dorm freely and would engage students in the hallways and would enter their dorm rooms. This was known by Richard Ehrlich and Elan Adler, both Senior Residence Hall Officials, and Finkelstein.

216. As a direct and proximate result of Finkelstein's and Andron's abuse and the misconduct of the YU Defendants, JOHN DOE 7 has been afflicted by severe depression, thoughts of suicide, relationship difficulties, the inability to hold a job for sustained periods of time, intimacy and sexuality issues, and anger control issues.

217. As a direct and proximate result of Finkelstein and Andron's abuse and the misconduct of the YU Defendants, JOHN DOE 7 has struggled with drug abuse with drugs including LSD, marijuana, cocaine, and ecstasy. JOHN DOE 7 received medical care and treatment for his emotional and drug-related problems (at considerable costs). Ashamed of telling anyone about his abuse, JOHN DOE 7 bottled his emotions inside and used the various aforementioned substances to escape the pain.

John Doe 8

218. In or about 1980, Plaintiff JOHN DOE 8 began attending YUHS.

219. During JOHN DOE 8's senior year at YUHS in 1983 he was called into Finkelstein's office. When JOHN DOE 8 arrived in the office, Finkelstein closed the door. Finkelstein said, he wanted to finally "learn with [him]" one-on-one. Finkelstein asked JOHN DOE 8 to recite the Hebrew months in order. Then he asked JOHN DOE 8 to recite a specific blessing. Then he asked JOHN DOE 8 to recite an even longer blessing. When JOHN DOE 8 was unable to recite the final blessing Finkelstein made a fist, pounded it into his palm several times and said, "It looks like I'll have to beat it out of you!" Next, Finkelstein grabbed JOHN DOE 8 and tackled him to the ground. While JOHN DOE 8 was completely pinned down, Finkelstein removed his dress shirt and was wearing only his tank top undershirt. Finkelstein started to hump JOHN DOE 8 from behind and was also trying to remove his clothing. JOHN DOE 8 screamed and begged him to stop. He was fighting with everything he had but could not get Finkelstein off of him and recalls that during his attack, his nose was pressed against the floor.

220. Finkelstein's attack stopped only because a fellow YUHS rabbi banged on his door and insisted on speaking with Finkelstein. For the duration of his time at YUHS, Finkelstein frequently cornered JOHN DOE 8 and invited him to ride in the staff elevator with him. Finkelstein told JOHN DOE 8 that they had plenty of "unfinished business."

221. JOHN DOE 8 met YUHS's wrestling coach, Pesach Kremen his freshman year at Yeshiva University High School. Kremen approached JOHN DOE 8 and asked if he would like to try out for the wrestling team. He told JOHN DOE 8 that he would give him a tutorial to see if the sport was for him. He instructed him to meet him in the wrestling room. When JOHN DOE 8 arrived, he noticed that he was alone with Kremen. Kremen started by saying he would show JOHN DOE 8 the "Sleeper Hold" and he wrapped his arms around his neck, and his legs around his body. JOHN DOE 8 panicked as he began to lose consciousness and begged Kremen to stop, but he would not. As JOHN DOE 8 was losing consciousness, he felt Kremen's hands all over his body, including his genitals. When JOHN DOE 8 woke up, he felt like he had just emerged from a deep sleep and didn't know how long he was out for or what else had been done to him while he was unconscious. JOHN DOE 8 ran out of the room in tears.

222. JOHN DOE 8 has carried the abuse with him every day of his life. Thoughts of the abuse have distracted him from work, from intimacy in his marriage, and impacted his relationship with his parents up until his father's passing two years ago. JOHN DOE 8 has held many jobs and has always harbored feelings of insecurity at work that he attributes to the ongoing abuse in high school. He feels that the impact of the abuse has affected his ability to achieve at the levels he needed to and was capable of to support his family.

223. As a direct and proximate result of Defendants' conduct, JOHN DOE 8 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 9

224. In or about 1980, JOHN DOE 9 began to attend YUHS.

225. In or about 1981, on several occasions, in Finkelstein's office at YUHS and at Finkelstein's apartment in Washington Heights, Finkelstein sexually abused JOHN DOE 9.

226. On one occasion, Finkelstein called JOHN DOE 9 into his office where he forced JOHN DOE 9 to wrestle with him.

227. On another occasion, Finkelstein invited JOHN DOE 9 his apartment when Finkelstein's family was away. At the apartment, he

jumped on top of JOHN DOE 9 and tackled him to the ground. Once JOHN DOE 9 was face down on the floor, Finkelstein began to hump him. JOHN DOE 9 felt Finkelstein's erect penis rubbing against his body as Finkelstein moved. This conduct continued for approximately twenty minutes.

228. As a direct and proximate result of Finkelstein's and Andron's abuse and the misconduct of the YU Defendants, JOHN DOE 9 has been afflicted by severe emotional distress and mental anguish. He suffers from, at times, severe depression, and has long lived with constant regular feelings of despair and hopelessness. He has also had relationship and sexual difficulties, which contributed to a divorce.

John Doe 10

229. In or about 1972, Plaintiff JOHN DOE 10 began attending YUHS.

230. In or about 1973, JOHN DOE 10 was sexually abused by Rabbi Neal Harris ("Harris"), then the Head of the Resident Advisors in the YUHS dormitory.

231. During JOHN DOE 10's sophomore year in the dorms at YUHS, Harris approached him and told him he was "very lucky" and would be getting his own individual room. One night after JOHN DOE 10 had moved to the single room, Harris approached him in bed. JOHN DOE 10

was preparing to go to sleep when Harris entered and sat on the edge of his bed. Harris attempted to fondle JOHN DOE 10's genitals with his elbow. JOHN DOE 10 promptly alerted the house mother Mrs. Fanny Weizendorf of what Harris had done. Mrs. Weizendorf promised JOHN DOE 10 that she would take care of everything. Soon thereafter, Harris left his position in the dorms with no explanation.

232. Upon information and belief, YU administrators knew or should have known that Harris, a YU employee, had a propensity to sexually abuse boys prior to Harris's abuse of JOHN DOE 10. Nevertheless, the YU Defendants failed to properly supervise Harris and in fact allowed him unfettered access to boys, including JOHN DOE 10, in the YUHS dormitory.

233. Harris's abuse significantly affected JOHN DOE 10's ability to have normal boundaries with others. He resented both of his parents for their conviction that anything connected with Yeshiva was good. JOHN DOE 10 also deeply resented organized religion after his traumatic experience in his dorm room. This was and continues to be a source of frequent and substantial conflict with his parents.

234. Due to the betrayal he experienced as a child, to this day JOHN DOE 10 is extremely distrustful of organized religion. JOHN DOE 10 was a

clinical psychologist for twenty years and experienced a catastrophic end to his career based on his warped sense of appropriate boundaries.

235. As a direct and proximate result of Harris's abuse and the misconduct of the YU Defendants, JOHN DOE 10 has suffered from severe depression, emotional distress, trust and authority problems, problems in forming and maintaining positive relationships (including a divorce), and an employment history which has fallen far below his capabilities and potential.

John Doe 11

236. In or about 1978, Plaintiff JOHN DOE 11 began attending YUHS.

237. On multiple occasions, in 1981, in a YUHS school building, JOHN DOE 11 was sexually abused and sodomized by Macy Gordon. This abuse occurred months after previous victim JOHN DOE 2 had reported (along with his father) his own sexual assault and sodomization by Gordon to YU's Senior Vice President, Israel Miller.

238. Gordon used gross emotional manipulation against JOHN DOE 11 by threatening to tell his parents that JOHN DOE 11 had received a very bad grade in his class in order to prevent JOHN DOE 11 from resisting Gordon's sexual assault against him.

239. After Gordon sexually abused JOHN DOE 11, Gordon again threatened JOHN DOE 11 by stating that he (Gordon) would make sure that JOHN DOE 11's permanent record would reflect that he was a troublemaker if he told anyone about Gordon's assault.

240. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 11 has suffered from severe depression, emotional distress, and trust problems.

241. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 11 has experienced sexual and relationship problems which led directly to a divorce.

242. From the date Gordon abused him until now, JOHN DOE 11's memories of his high school years have been (and are) overwhelmed and tainted by recurrent images of his horrendous sexual abuse by Gordon.

243. In or about the summer of 1984, while attending Yeshiva College, JOHN DOE 11 moved into Richard Andron's apartment in New York City for the summer. JOHN DOE 11 had met Richard Andron at YU. While JOHN DOE 11 was sleeping, Andron attempted to fondle him. JOHN DOE 11 resisted these unwanted and unreciprocated sexual advances and shortly thereafter moved out of Andron's apartment.

244. As a direct and proximate result of Defendants' conduct, JOHN DOE 11 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 12

245. In or about 1977, Plaintiff JOHN DOE 12 began attending YUHS.

246. On numerous occasions, including multiple times on the upper floor at YUHS and once at Gordon's home in Teaneck, New Jersey, from January, 1978 to June, 1978, JOHN DOE 12 was sexually abused by Macy Gordon.

247. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants in enabling, facilitating and exacerbating said abuse, JOHN DOE 12 suffered severe emotional, economic and physical consequences.

248. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 12 suffers from constant bouts of severe anxiety and depression.

249. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 12 has required the services of multiple mental health professionals (at considerable costs) and, in

addition, has maintained various pharmacological regimens in an attempt to stabilize his mood and allow him to function in a reasonably competent manner.

250. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 12 has been unable to hold a steady job and is presently unemployed.

251. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 12 was unable to pursue multiple educational opportunities, and dropped out of Rabbinical College as well as law school.

252. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 12 has lived a life of near complete social isolation. JOHN DOE 12 is chronically unable to maintain adequate social interactions with supervisors and co-workers. JOHN DOE 12 is incapable of establishing and/or maintaining friendships. JOHN DOE 12 has never married and has always (subsequent to the abuse) been extremely fearful at the thought of having children, feeling that there would be no way to protect them. JOHN DOE 12, moreover, abandoned the religious beliefs that formed the basis of his formative years, alienating his

family in the process and furthering his existence of social isolation and loneliness.

253. As a direct and proximate result of Defendants' conduct, JOHN DOE 12 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 13

254. In or about 1977, Plaintiff JOHN DOE 13 began attending YUHS.

255. On multiple occasions, from 1978-1982, JOHN DOE 13 was sexually abused by Finkelstein in Finkelstein's YUHS office as well as in the hallways in YUHS. These abuse incidents occurred more than 30 times.

256. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 13 has suffered from severe depression which at times has prevented him from even being able to get out of bed. This has drastically impacted his ability to find and maintain employment, and has completely destroyed his personal happiness.

257. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 13 has developed a deep mistrust for authority figures and has extreme difficulty trusting others.

258. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 13 has had multiple serious relationship problems, most notably a divorce in his 20s.

259. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 13 has had great difficulty in controlling his rage, which has interfered and damaged his personal and business relationships throughout his life.

260. As a direct and proximate cause of Finkelstein's abuse and the YU Defendants' misconduct, JOHN DOE 13 required the services of various mental health therapists and psychological counselors for about twenty years (at considerable costs), in an effort to help stabilize his mood, quell his depression and rage, and allow him to function in a reasonably competent manner.

261. In or about 1979, JOHN DOE 13 told YUHS's Principal, Rabbi David Weinbach, that Finkelstein was touching him inappropriately in a sexual manner.

262. In or about 1979, JOHN DOE 13 also told numerous faculty members of the YUHS Judaic Studies and General Studies departments, including Rabbi Yitzchak Handel, Rabbi Samuel Borenstein, and Rabbi

Solomon Rybak, that Finkelstein was touching him inappropriately in a sexual manner.

263. Nevertheless, these administrators and teachers at YU and YUHS did not notify law enforcement officials, students, parents, prospective students, or former students, that YU, YUHS, and Rabbis Weinbach, Handel, Borenstein, and Rybak, had received allegations that Finkelstein was inappropriately touching and abusing students, or that YU and YUHS (and their administrators) knew that Finkelstein had a propensity to sexually abuse boys.

264. On one occasion, in or about 1979, Rabbi David Weinbach, the Principal of YUHS at the time (since deceased), observed Finkelstein sexually and physically abusing JOHN DOE 13 in a hallway.

265. Even after Weinbach personally observed Finkelstein's abuse of JOHN DOE 13, Weinbach, YUHS, and YU, did not report Finkelstein to any law enforcement authorities, or notify any prospective students, students, parents, or former students, that Finkelstein had physically and sexually assaulted a boy at YUHS, or that Finkelstein had a known propensity to sexually abuse boys.

266. Weinbach, YUHS, and YU, in fact, took no disciplinary action whatsoever against Finkelstein for his directly observed (and oft-reported) misconduct.

267. Plaintiff JOHN DOE 13, notified multiple officials of YUHS and YU, that he had been the victim of abuse. Plaintiff JOHN DOE 13 undertook these actions and made these notifications to both alert the school concerning Finkelstein's criminal conduct AND to investigate whether or not the school was aware of Finkelstein's predilection to abuse young boys.

268. In each instance, Plaintiff JOHN DOE 13 was informed or led to believe that his complaint was baseless.

269. As a direct and proximate result of Defendants' conduct, JOHN DOE 13 has suffered, and continues to suffer, from severe emotional pain and distress and mental anguish.

John Doe 14

270. In or about 1953, Plaintiff JOHN DOE 14 began attending YUHS.

271. In or about June or September, 1954, JOHN DOE 14 was in the dormitory room of a fellow YUHS student, Sandy, along with Macy Gordon (who at that time worked at YUHS as either a teacher, teacher's aide, or dorm counselor).

272. Gordon cried out the word, “Mishi,” which at YUHS was a term known for the perverted act of rubbing toothpaste on a victim’s genitals.

273. Gordon and Sandy then tried to overpower JOHN DOE 14 for the purpose of performing a “Mishi,” meaning to rub toothpaste on JOHN DOE 14’s genitals against his will. JOHN DOE 14, desperate to avoid being violated in this manner, planned to leap out the window if he were about to be overpowered by Gordon and Sandy. JOHN DOE 14 fought Gordon and Sandy, who were trying to subdue him for the purpose of rubbing toothpaste on his genitals, and even threw furniture and lamps at them. At some point, Gordon called off the attack.

274. Upon information and belief, even as far back as 1954, the YU Defendants knew that Gordon had a propensity to sexually abuse children as at least one former student at YUHS had complained to YU officials’ about Gordon’s propensity to sexually abuse boys and to administer “Mishis.”

275. As a direct and proximate result of Gordon’s abuse, and the misconduct of the YU Defendants, JOHN DOE 14 has suffered severe emotional distress and mental anguish.

John Doe 15

276. Plaintiff, JOHN DOE 15 attended YUHS from 1985 through 1986.

277. In or about 1985, Plaintiff JOHN DOE 15 began attending YUHS.

278. On one occasion, in approximately 1986, JOHN DOE 15 was sexually abused by George Finkelstein. The abuse occurred in Finkelstein's office at YUHS.

279. Finkelstein's sexual abuse of JOHN DOE 15 included but was not limited to, Finkelstein stroking Jonathan's arm, neck, and thigh.

280. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants in enabling, facilitating and exacerbating said abuse, JOHN DOE 15 suffered severe emotional, economic and physical consequences.

281. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 15 has suffered, and continues to suffer from emotional pain, distress, and mental anguish.

John Doe 16

282. In or about 1983, Plaintiff JOHN DOE 16 began attending YUHS.

283. On multiple occasions, in JOHN DOE 16's junior and senior year at YUHS, at Finkelstein's home as well as in his YUHS office, JOHN DOE 16 was sexually abused by Finkelstein. This abuse occurred under the guise of disciplinary action for a student that was misbehaving in class and "not learning." The abuse included violent head-locks and "wrestling" incidents where Finkelstein pressed his erect penis against JOHN DOE 16's body.

284. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU defendants, JOHN DOE 16 has suffered from severe emotional trauma, leading to long periods of alcohol and drug abuse.

285. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 16 has become disgusted with his religion and no longer identifies with his Jewish faith.

286. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 16 has an estranged relationship with his family. This estrangement is due to the fact that his parents did not believe his accounts of Finkelstein's sexual abuse, and described his invitations to Finkelstein's home for the Sabbath as an "honor."

287. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 16 has developed a mistrust of people in general, and specifically people in the positions of religious authority. This led to an inability to have any normal long term relationships, and the need for regular psychiatric therapy due to his substance abuse and sleep disorders.

288. In or about 1983 JOHN DOE 16 reported Finkelstein's sexual abuse to the YUHS head dorm counselor, Elan Adler, as well as several of his older friends at YUHS, including Yitzhak Twersky, who in turn told his older brother, MORDECHAI TWERSKY.

289. MORDECHAI TWERSKY, who had suffered his own abuse by George Finkelstein a few years earlier, reported JOHN DOE 16's allegations as well as his own, to Rabbi Lamm, YU's President.

290. MORDECHAI TWERSKY reported to his brother Yitzhak (who then relayed the information to JOHN DOE 16), that Lamm reacted first in disbelief and then anger that no one had told him about it before. He said over and over that he couldn't believe it, and that he never before heard such an allegation about Finkelstein, as if trying to convince MORDECHAI TWERSKY that he knew nothing about it.

291. Subsequently, JOHN DOE 16 saw Lamm reprimanding Finkelstein in an empty classroom in the early morning hours before most of the students arrived.

292. Nevertheless, Lamm and YU and YUHS did not notify law enforcement officials, students, parents, prospective students, or former students, that YU (and Lamm) and YUHS had received allegations that Finkelstein was abusing students, or that YU and YUHS (and their administrators) knew that Finkelstein had a propensity to sexually abuse boys.

John Doe 17

293. In or about 1977, Plaintiff JOHN DOE 17 began attending YUHS.

294. In approximately 1978, Sheldon Chanales (“Chanales”) was JOHN DOE 17’s Tanakh (Bible) teacher during his freshman year at YUHS. JOHN DOE 17 was sexually abused by Chanales on a Sabbath/Saturday. Chanales came to his dormitory room unexpectedly. JOHN DOE 17 did not know the purpose of his visit, but trusted Chanales and the authority vested in him as a Bible teacher. Once he was inside JOHN DOE 17’s room, Chanales instructed JOHN DOE 17 to lie down on his back and JOHN DOE 17 reluctantly complied. Chanales then began to touch JOHN DOE 17’s

abdomen, then moved his lower on JOHN DOE 17's body. When Chanales's hands reached JOHN DOE 17's genital region, JOHN DOE 17 called out and began to sit up in an attempt to indicate his refusal to subject himself to any more abusive touching. Chanales then removed his hands from JOHN DOE 17's body and left the room.

295. Upon information and belief, Defendants knew or should have known that Chanales had a propensity to sexually abuse children at YUHS and/or had previously abused other children at YUHS.

296. In approximately 1979, Finkelstein was the Assistant Principal of YUHS. JOHN DOE 17 viewed Finkelstein as a respected and trusted mentor and consequently went to his office on occasion. On several occasions, Finkelstein invited JOHN DOE 17 to his home in Washington Heights for meals on the Sabbath. On one such occasion, JOHN DOE 17 went to his office and Finkelstein closed the door behind them, which is something he had never done before. JOHN DOE 17 and Finkelstein were alone in the office. Then, Finkelstein grabbed JOHN DOE 17 from behind and attempted to "wrestle" with him. In doing so, Finkelstein wrapped his long arms around JOHN DOE 17's upper torso. JOHN DOE 17 felt extremely uncomfortable, but respected Finkelstein's authority. JOHN

DOE 17 then broke loose of Finkelstein's hold before any further inappropriate touching could occur.

297. JOHN DOE 17 was profoundly impacted by the abuse he experienced at YUHS. Prior to his abuse at YUHS, he trusted and greatly admired Rabbis and Judaic Studies teachers. The encounters with Chanales and Finkelstein caused him to rebel against authority. JOHN DOE 17 was angry with "pretentious" rabbis and persons of authority who he felt were only concerned with their self-aggrandizement and not the welfare of their "flock." This negatively affected JOHN DOE 17's relationship with his father who was an ordained Rabbi from Yeshiva University and also a retired colonel in the U.S. Army.

298. As a direct and proximate result of Chanales's abuse, Finkelstein's abuse, and the misconduct of the YU Defendants, JOHN DOE 17 has suffered severe emotional distress and mental anguish. He feels that this abuse has caused him to easily become depressed, enraged and short-tempered, all of which has caused added stress to his wife and children.

John Doe 18

299. In or about 1980, Plaintiff JOHN DOE 18 began attending YUHS.

300. On multiple occasions, from 1980-1983, JOHN DOE 18 was sexually abused by George Finkelstein in Finkelstein's YUHS office. These abuse incidents occurred more than ten times.

301. Typically, Finkelstein would call JOHN DOE 18 into his office, under the pretext that he had done something wrong. JOHN DOE 18 recalls that the Secretary, Mrs. Litwin, would lower her head as if to not see him walking in, as though she knew what Finkelstein was about to do. Once inside, Finkelstein would close and lock the door. At some point during these meetings, Finkelstein would try to wrestle JOHN DOE 18 and instruct him to hit him. Eventually, Finkelstein would always end up behind JOHN DOE 18, grinding against JOHN DOE 18's body with his erect penis while moaning and groaning. JOHN DOE 18 felt and saw Finkelstein's erect penis. This same series of events took place over ten times between JOHN DOE 18's freshmen and junior years at YUHS.

302. Pesach Kremen was the YUHS wrestling coach. JOHN DOE 18 was on the wrestling team and recalls Kremen would do inappropriate things during training. The inappropriate conduct included wearing a wrestling uniform without underwear or a jock strap, locking his legs with students, and telling them that sometimes people ejaculate when they lock

legs and squeeze really hard. After several instances of this behavior, JOHN DOE 18 dropped off the wrestling team.

303. During his high school years, JOHN DOE 18 suffered from extreme depression and severe symptoms of Obsessive-Compulsive Disorder (OCD). He never sought help for these issues because he did not want to reveal the abuse, he experienced at YUHS.

304. As a direct and proximate result of Finkelstein's abuse, Kremen's abuse, and the misconduct of the YU Defendants, JOHN DOE 18 has suffered from severe psychological symptoms which include severe depression and obsessive compulsive disorder, emotional distress, and mental anguish.

305. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 18 questioned and strayed from his religious faith.

306. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 18 has spent his entire adult life in constant fear of Finkelstein, obsessing about the abuse he suffered, and dreading the possibility that he could, somehow, be abused again.

John Doe 19

307. In or about 1987, Plaintiff JOHN DOE 19 began attending YUHS.

308. JOHN DOE 19 was entrusted to the care and supervision of YUHS and its' staff by his parents, who lived in Europe, in the hope that their son would receive an exemplary Jewish education.

309. On multiple occasions, from approximately 1987-1988, JOHN DOE 19 was sexually harassed and abused by Finkelstein in various locations throughout the YUHS including one particularly violent episode that took place in a men's room located on school grounds.

310. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 19 dropped out of YU College during his sophomore year and never returned to school.

311. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 19 was unable to obtain gainful employment for many years, and thus worked at a number of menial jobs in the restaurant industry before returning to school.

John Doe 20

312. In or about 1983, Plaintiff JOHN DOE 20 began attending YUHS.

313. JOHN DOE 20 came from a poor family that resided on the Lower East Side of Manhattan. His father fought as an Israeli paratrooper in the Sinai War in 1956.

314. On multiple occasions, from 1983-1986, JOHN DOE 20 was sexually abused by Finkelstein in Finkelstein's office and, on one occasion, in Finkelstein's apartment.

315. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 20 became severely emotionally crippled. He shuns almost all social interaction, and fears that someone will try to take advantage of him in a similar manner to Finkelstein and sexually assault him.

316. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 20 has been unable to maintain a steady job due to his extreme distrust of authority figures, compromised emotional state and inability to successfully interact with others.

317. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 20 has undergone many years of therapy with mental health providers. His efforts to achieve any relief from his symptoms are severely hampered by his continuing attempts

to repress the memories of his abuse and his abuser. He has battled with anger management issues and a crisis of faith. JOHN DOE 20 has never been able to tell his family what happened to him.

John Doe 21

318. In or about 1988, Plaintiff JOHN DOE 21 began attending YUHS.

319. On multiple occasions, from 1988-1992, JOHN DOE 21 was sexually abused by Finkelstein in Finkelstein's office, his apartment, and in various stairwells located with the YUHS confines. There were more than fifty (50) incidents of abuse.

320. JOHN DOE 21 met Finkelstein during his freshman year at YUHS when he was fourteen-years-old. Finkelstein began paying special attention to JOHN DOE 21 at the beginning of his freshman year and would regularly call JOHN DOE 21 out of class (for no reason) to see him in his office. Often, in Finkelstein's office, Finkelstein would begin to "wrestle" with JOHN DOE 21. Finkelstein would grab him from behind and hump JOHN DOE 21's body, while pressing his erect penis against him. This would usually take place standing, with JOHN DOE 21 pressed against Finkelstein's desk, and with JOHN DOE 21 pinned down on the floor under Finkelstein.

321. This same (or similar) series of events occurred throughout JOHN DOE 21's four years at YUHS. JOHN DOE 21 estimates the number of times Finkelstein abused him over the four years was more than fifty.

322. Finkelstein's abuse has had a profound negative impact on JOHN DOE 21's life. Until a few years ago, when JOHN DOE 21 became sober, he spent two decades addicted to alcohol and marijuana. JOHN DOE 21 has also suffered from bouts of crippling anxiety and depression. The trauma of the abuse combined with his family and community's initial response to it fed into a cycle of cynicism, shame, loathing, anger and self-pity. It has taken JOHN DOE 21 many years and a great deal of work to get through it.

323. For most of his life, JOHN DOE 21 has suffered from a gross distrust of authority and "self-righteous anger," which, when misplaced, can contribute to the cycle of trauma he was placed in as a teenager. He has also struggled with his weight and maintaining self-care. The periods of anxiety, depression and self-pity caused by Finkelstein's repeated abuse negatively impacted JOHN DOE 21's professional and vocational development and rendered JOHN DOE 2 insolvent for many years. Though he has worked to improve his life, JOHN DOE 21 believes that the impact of the abuse at YUHS led to the dissolution of his marriage.

324. As a direct and proximate consequence of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 21 suffers from severe anxiety and depression. He struggles, on a daily basis, to control his anger and rage and has great difficulty maintaining relationships and interacting with others.

325. As a direct and proximate consequence of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 21 suffers from a severe Post Traumatic Stress Disorder, requires the services of multiple mental health providers and is takes medications in an attempt to control his symptoms.

John Doe 22

326. In or about 1975, Plaintiff JOHN DOE 22 began attending YUHS.

327. On multiple occasions, from 1975-1979, JOHN DOE 22 was sexually abused by Finkelstein in Finkelstein's office and in various stairwells on school premises. There were more than fifty (50) incidents of abuse.

328. Several of the aforementioned incidents were quite severe. On one occasion, Finkelstein grabbed JOHN DOE 22 in a headlock and forced him to the floor face down. Finkelstein then lay on JOHN DOE 22 and

grinded his erect penis into him. On another occasion, Finkelstein held down JOHN DOE 22 while threatening to cut JOHN DOE 22's hair with scissors.

329. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 22 suffers from severe intimacy and trust issues. He fears authority figures and is extremely fearful of religious figures, especially rabbis. As a direct result, JOHN DOE 22 career path was adversely impacted.

330. As a direct result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 22 has been forced to seek the assistance of mental health providers to cope with symptoms of Post Traumatic Stress Disorder, anxiety and depression.

John Doe 23

331. In or about 1979, Plaintiff JOHN DOE 23 began attending YUHS.

332. During his junior year at YUHS, JOHN DOE 23 was struggling with Judaic studies, especially the Talmud class. One day, Finkelstein called him into his office and threatened to expel him from school. Finkelstein told JOHN DOE 23 that he was willing to help him do better in school and

invited him to come sleep over at his house so he could tutor him in the Talmud at no financial cost.

333. Left with the decision to be expelled or sleep at Finkelstein's house, JOHN DOE 23 went to his home. JOHN DOE 23 discussed this with a friend and fellow classmate, who warned JOHN DOE 23 not to go. JOHN DOE 23 told his mother he was afraid to go because of what he had heard from his friend about Finkelstein, but mom replied that his friend was being ridiculous and should not make up things about a Rabbi.

334. JOHN DOE 23 went to Finkelstein's home. Finkelstein bought him dinner at the Yeshiva University cafeteria, and he let JOHN DOE 23 play music while he did his homework. When it was getting late, Finkelstein told his wife, "It's getting late, let's go to sleep." She went to bed and left JOHN DOE 23 alone with Finkelstein. Finkelstein was preparing the living room couch for JOHN DOE 23 to sleep on and said they needed to talk. Finkelstein said, "I don't know what to do with you , we can't keep you in the Yeshiva if you don't improve your Talmud studies." Finkelstein began to test him on something he knew nothing about. Then, Finkelstein said, "If I were to hit you, you could hit me back, you know that don't you?" The conversation continued with more grammar testing, then Finkelstein suddenly grabbed JOHN DOE 23 from behind in a head lock. Finkelstein

pulled him to the floor and wrapped his legs around him in scissor lock. He wrestled JOHN DOE 23 for a long time. Finkelstein then mounted JOHN DOE 23 from behind and humped him, rubbing his erect penis against JOHN DOE 23 in “a sexual way.” Finally, JOHN DOE 23 kicked him in the stomach as hard as he could to get him off. Finkelstein became angry and instructed JOHN DOE 23 to go to sleep.

335. Memories of the abuse have haunted JOHN DOE 23 his entire life. He has not been able to trust a Rabbi since then and finds it difficult to open up with them even though they are supposed to be spiritual leaders. As a result of the abuse, JOHN DOE 23 has had a difficult relationship with religion and has wrestled with being observant and gone back and forth between being observant and non-observant his entire adult life.

336. As a direct and proximate result of Finkelstein’s abuse, and the YU Defendants’ conduct, JOHN DOE 23 has difficulty controlling his anger and rage. He has experienced deep depression and moments where he’s contemplated suicide. At various times over the years, he has taken anti-depressants to manage his depression. This entire abuse event has made JOHN DOE 23 feel lost and unsure of who he is. When he should have been focused on career development, JOHN DOE 23 found himself making trips to Yeshiva in Israel because he did not know what else to do.

337. As a direct and proximate result of Finkelstein's abuse, and the YU Defendants' conduct, JOHN DOE 23 feels he sabotages success when it is presented to him because of his low self-esteem and low level of confidence. This has severely affected his professional development. He does his best to give off a tough appearance because he never wants to be a victim again. The tough persona has prevented JOHN DOE 23 from having meaningful friendships and consequently, people are cautious around him.

338. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 23 suffers from nightmares, flashbacks and intrusive thoughts of the abuse. He is hypervigilant, always afraid that he might be sexually assaulted again.

John Doe 24

339. In or about 1976, Plaintiff JOHN DOE 24 began attending YUHS. He graduated from YUHS in 1980.

340. Between the ages of 13 and 15, JOHN DOE 24 took karate lessons at a Jewish center twice a week. Upon information and belief, the Jewish center was owned, operated, managed, and controlled by Yeshiva University ("YU"), and YU was in charge of all hiring, firing, and personnel decisions.

341. After his karate lessons, which ended at 10 pm, JOHN DOE 24 would spend the night—with the YU Defendants’ knowledge, consent, and encouragement—at Andron’s home near the center.

342. On numerous occasions, JOHN DOE 24 would wake up to find Andron fondling his genitals. As the abuse escalated, Andron often masturbated JOHN DOE 24 for hours (and became frustrated because JOHN DOE 24 never ejaculated). Andron also often forced JOHN DOE 24 to fondle Andron’s penis.

343. The following YU administrators knew that JOHN DOE 24 was frequently spending the night at Andron’s apartment and, upon information and belief, each also knew that Andron was a sexual predator with a propensity to sexually abuse boys: Rabbi George Finkelstein, Chaim Sober, and Michael Andron.

344. A few days after his last incident with Andron, when he was 15 years old, JOHN DOE 24 told his mother what had happened to him.

345. JOHN DOE 24’s life was profoundly affected by his abuse. Among other things, Andron convinced JOHN DOE 24 that there was something wrong with him because he never ejaculated. For years, therefore, JOHN DOE 24 had a profound fear of sexual dysfunction.

346. As a direct and proximate result of Andron's abuse and the misconduct of the YU Defendants, JOHN DOE 24 has lived his life with deep feelings of distrust and anger towards people in general, but particularly towards Andron and YU administrators at YUHS who knew what Andron was doing to children but did nothing to stop it.

347. As a direct and proximate result of Andron's abuse and the misconduct of the YU Defendants, JOHN DOE 24 has suffered from severe emotional distress and mental anguish. He has received therapeutic treatment for the abuse, sporadically, for many years.

John Doe 25

348. In or about 1981, Plaintiff JOHN DOE 25 began attending YUHS.

349. On multiple occasions (at least 5), from 1982-1983, JOHN DOE 25 was sexually abused by Finkelstein in Finkelstein's office and at his apartment.

350. In the first incident at Finkelstein's YUHS office, in or about September 1982, Finkelstein called JOHN DOE 25 into his office on a pretext (upon information and belief, an alleged prayer infraction), and told him that he would need to call his parents about the infraction.

351. Finkelstein then began to review JOHN DOE 25's file, and asked JOHN DOE 25 if his father was a Holocaust survivor. When JOHN DOE 25 confirmed that he was, Finkelstein suggested that JOHN DOE 25's father has probably been through enough tzuris (trouble) and suggested that Finkelstein would not need to call JOHN DOE 25's parents if the two of them could work out the problem on its own. Finkelstein began to mention some minor punishments, while rubbing JOHN DOE 25's arm, and then rubbing JOHN DOE 25's leg. Then he started wrestling with JOHN DOE 25 and encouraged him to fight back but JOHN DOE 25 was too petrified to do so. Finkelstein then pinned JOHN DOE 25 to the floor, placed his hands under JOHN DOE 25's shirt, pressed his clearly erect penis against JOHN DOE 25, and breathed heavily.

352. Finkelstein's other sexual assaults of JOHN DOE 25 were similar in nature.

353. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 25 has suffered multiple debilitating symptoms throughout his adult life. These symptoms include depression, lack of self-esteem, difficulty maintaining personal and intimate relationships, difficulty making and keeping friends, and feelings of self-loathing and worthlessness.

354. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 25 has been forced to seek the help of mental health professionals on multiple occasions, has great difficulty forming relationships and trusting others, struggles financially and professionally and carries thoughts of being abused that are intrusive and ever-present.

John Doe 26

355. In or about 1977, Plaintiff JOHN DOE 26 began attending YUHS.

356. On multiple occasions (dozens of times), from 1977 to 1980, JOHN DOE 26 was sexually abused by Finkelstein in Finkelstein's office. During JOHN DOE 26's Freshman year at YUHS, Finkelstein repeatedly called JOHN DOE 26 into his office, terrorized him, and sexually assaulted him at least thirty (30) times.

357. From 1977 to 1980, Finkelstein also frequently and regularly (dozens of times) sexually assaulted JOHN DOE 26, at various locations in YUHS, under the guise of "Tzitzis" checks.

358. On at least four occasions, in 1979 and 1980, JOHN DOE 26 was the victim of brutal sexual assaults (sodomization with implements) by Macy Gordon. These incidents took place in JOHN DOE 26's dormitory

room, as Gordon somehow gained access to JOHN DOE 26's dormitory room, locked the door behind him, and sodomized JOHN DOE with one or more implements. On at least one such occasion, Gordon sodomized JOHN DOE 26 with a hard plastic deodorant stick.

359. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 26 has suffered from multiple debilitating symptoms throughout his adult life including nightmares, flashbacks, fears of being sexually assaulted again, anger, bouts of depression, and suicidal ideations. On two occasions, JOHN DOE 26 has attempted suicide.

360. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 26 has suffered from a severe distrust of authority figures, most especially of Rabbis and has lost his faith in the Jewish religion.

John Doe 27

361. In or about 1977, Plaintiff JOHN DOE 27 began attending YUHS.

362. On multiple occasions, from 1978-1981, JOHN DOE 27 was sexually abused by Finkelstein in Finkelstein's office.

363. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 27 experienced severe depression, a deep loss of respect for all authority figures and suffered a crisis of faith.

John Doe 28

364. In or about 1974, Plaintiff JOHN DOE 28 began attending YUHS.

365. On multiple occasions, from 1974-1977, JOHN DOE 28 was sexually abused by Finkelstein in Finkelstein's YUHS office and in various hallways and stairwells on school premises.

366. On multiple occasions in 1977, JOHN DOE 28 was sexually harassed and abused by Macy Gordon.

367. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse and harassment, and the misconduct of the YU Defendants, JOHN DOE 28 has suffered from a myriad of severe symptoms that have impacted his entire adult life.

368. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse and harassment, and the misconduct of the YU Defendants, JOHN DOE 28 dropped out of YUHS early in his senior year to avoid additional abuse. His ruined and thwarted education had severe financial

ramifications for him. JOHN DOE 28 spent very substantial periods of his adult life jobless and required public assistance.

369. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse and harassment, and the misconduct of the YU Defendants, JOHN DOE 28 has suffered from severe psychological symptoms which include severe depression, post traumatic stress, feeling of self-loathing and worthlessness and thoughts of suicide. He has attempted suicide several times. As a consequence of his self-hatred JOHN DOE 28 gained over one hundred and fifty pounds (to a weight of well over 300 pounds). As a result of prolonged and severe stress and anxiety, JOHN DOE 28 was recently diagnosed with a large tumor on his colon. This tumor is potentially fatal.

370. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse and harassment, and the misconduct of the YU Defendants, JOHN DOE 28 has suffered from a chronic distrust of authority figures, anger, rage, fear of intimacy and inability to exist in a committed relationship. He remains grief stricken over the prospect that his compromised psychological state may prevent him from ever fathering a child.

John Doe 29

371. In or about 1984, Plaintiff JOHN DOE 29 began attending YUHS.

372. On one occasion, in or about 1988, JOHN DOE 29 was sexually abused by Finkelstein in Finkelstein's apartment while his wife and children were sleeping in their bedrooms. While helping JOHN DOE 29 study for Yeshiva entry tests, after JOHN DOE 29 made a simple error, Finkelstein threw JOHN DOE 29 to the ground, removed JOHN DOE 29's sweatshirt, turned him to lie with his stomach to the floor, and grinded his erect penis into JOHN DOE 29's backside.

373. After this incident, JOHN DOE 29 informed his rabbi, Rabbi Chait, of Finkelstein's assault. Rabbi Chait told JOHN DOE 29, *inter alia*, that he had heard these kind of stories about Finkelstein in the past but had never believed them. Rabbi Chait notified JOHN DOE 29 that he credited his account of Finkelstein's abuse.

374. As a direct and proximate result of Finkelstein's abuse and the misconduct of the YU Defendants, JOHN DOE 29 suffered from emotional distress and mental anguish, and depression, and struggled to overcome a distrust of authority figures.

John Doe 30

375. In or about 1968, Plaintiff JOHN DOE 30 began attending YUHS.

376. In or about 1971-1972, JOHN DOE 30 was brutally sexually abused by Macy Gordon on YUHS premises. Gordon pulled down JOHN DOE 30's pants and spanked his bare bottom with his hand approximately 20 times.

377. As a direct and proximate result of Gordon's abuse and the misconduct of the YU Defendants, JOHN DOE 30 suffered from severe depression, a sense of worthlessness, nightmares, flashbacks and a fear and mistrust of authority figures.

John Doe 31

378. In the Fall of 1979, Plaintiff JOHN DOE 31 began attending YUHS as an incoming 9th Grade student.

379. On multiple occasions (more than 50 times), from 1979 to 1982, beginning during his first week of school, JOHN DOE 31 was repeatedly sexually abused by Finkelstein in Finkelstein's office, Finkelstein's apartment in Washington Heights, and in JOHN DOE 31's dormitory room at YUHS.

380. JOHN DOE 31's father was a Holocaust survivor and Finkelstein cravenly used that information to ensure JOHN DOE 31's silence and submission to his predations, as Finkelstein repeatedly told JOHN DOE 31 that he would be in big trouble if he ever informed anyone about Finkelstein's depraved acts and that JOHN DOE's father, who had already "suffered enough", would be shamed if he learned about Finkelstein's abuse of JOHN DOE 31.

381. Finkelstein frequently pressured JOHN DOE 31 to appear at his Washington Heights apartment, under the pretext of helping him with his studies, hosting him for Shabbat and Jewish holidays, and having him babysit Finkelstein's children, but for the true purpose of consummating his sick sexual desires.

382. Finkelstein's molestation of JOHN DOE 31 included all of the following: an uncountable number of instances of "wrestling" with him and pinning him down while rubbing against him to the point of ejaculating himself; masturbating him by hand; at least 20 instances of forced anal penetration with his penis; and other genital touching and anal penetration with his fingers. Each of these abuse incidents occurred in all three of the aforementioned locations.

383. Finkelstein frequently came to JOHN DOE 31's classroom and personally called him down to his office (offering no reason whatsoever for doing so to his teachers), for the purpose of molesting JOHN DOE 31 in his office.

384. In one particularly heinous episode, Finkelstein "visited" JOHN DOE 31's dormitory room repeatedly during school hours while JOHN DOE 31 was recovering from a serious illness; Finkelstein molested him nearly every such visit.

385. On three occasions, in 1981, Macy Gordon viciously sodomized JOHN DOE 31 with implements. These three occurrences followed a devastating and damaging betrayal perpetrated by Gordon on JOHN DOE 31.

386. JOHN DOE 31 reached out to Gordon and sought his assistance and protection in dealing with Finkelstein's ongoing rape and sexual molestation. Instead of assisting, supporting, or protecting JOHN DOE 31, Gordon used the trust placed in him by JOHN DOE 31 to manipulate JOHN DOE 31 into allowing him (Gordon) to become his second abuser.

387. Under the guise of reaching out to JOHN DOE 31 to support and assist him, Gordon invited JOHN DOE 31 to his home in Teaneck, NJ

for the Jewish holidays of Rosh Hashanah and Yom Kippur in the Fall of 1981.

388. On the afternoon of the first day of Rosh Hashanah, after Religious Services and the holiday lunch, Gordon tried to rape JOHN DOE 31 (but could not achieve an erection) and then proceeded to sodomize him with a hard implement (that was extraordinarily painful). The following afternoon, the same kind of conduct occurred.

389. One week later, after Religious Services on the eve of Yom Kippur, Gordon again sodomized JOHN DOE 31 at his home with a hard object, this time masturbating him, squeezing his genitals, and ejaculating on his back.

390. The following evening, after the conclusion of the observance of Yom Kippur, Gordon entered the guestroom where JOHN DOE 31 was asleep for the night, awakened him by grabbing his genitals, sprayed the burning substance on his genitals, and then penetrated his rectum with his fingers while masturbating him. He then inserted a large, hard object, leaving it inside his rectum for a lengthy period of time, left the room for a considerable amount of time and then returned to remove the object.

391. While Gordon was transporting JOHN DOE 31 back to New York and YUHS in his car after Yom Kippur, Gordon pulled the car over on

a side-street near YUHS and joined JOHN DOE 31 in the back seat. Once again, when Gordon could not successfully penetrate JOHN DOE 31 anally with his penis, he sodomized JOHN DOE 31 with a hard object.

392. During winter break (December, 1981 / January, 1982), Gordon again attempted to abuse JOHN DOE 31 in a hotel in an out of state location where both were vacationing. Once again, Gordon attempted to sexually assault JOHN DOE 31. Gordon forcefully told JOHN DOE 31 to remove his clothes, but JOHN DOE 31 refused to do so. JOHN DOE 31 was thus able to hold Gordon off and, in fact, notified Gordon that he would soon be leaving YUHS to get away from him and Finkelstein. Gordon told him that he knew of his plans already and would do everything in his power to destroy him and ruin his life if he ever said a word to anyone about Gordon's abuse.

393. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 31 has suffered from (and continues to suffer from) multiple debilitating symptoms throughout his adult life including PTSD, repeated suicidal thoughts with plans for such, nightmares, flashbacks, fears of being sexually assaulted again, anger, bouts of severe depression, inability to trust authority figures, and an inability to maintain and nurture intimate relationships.

394. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 31 has suffered severe and prolonged mental anguish and emotional pain and suffering, and has been required (and continues) to take multiple prescribed psychotropic medications and to attend extensive psychotherapy treatment sessions for many years at substantial costs.

395. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 31 has suffered from a lifelong inability to connect with women in intimate relationships in a meaningful, mutually beneficial way. His one marriage ended in divorce.

396. As a direct and proximate result of Finkelstein's abuse, Gordon's abuse, and the misconduct of the YU Defendants, JOHN DOE 31 was unable emotionally to remain connected to the Orthodox Jewish community in which he was raised and with he was most familiar, to the point that he cannot enter an Orthodox synagogue without suffering great emotional distress. His severe emotional difficulties and constant mental anguish have also hindered and impaired his professional life profoundly.

John Doe 32

397. In or about 1971, Plaintiff JOHN DOE 32 began attending YUHS.

398. On several occasions during his time at YUHS, JOHN DOE 32 was sexually abused by George Finkelstein. The abuse occurred in YUHS hallways, in a stairwell and in Finkelstein's office at YUHS.

399. In the Fall of 1971, Finkelstein assaulted JOHN DOE 32 in a YUHS hallway in full view of other students who then scattered. Finkelstein violently shoved his hand down John Doe 32's pants and groped and tugged at his genital area under the guise of a "tzitzit check". This attack came without warning although Finkelstein was staring at him the day before through a door while John Doe 32 was in prayers with the other students. The next occurrence of sexual abuse was also in a hallway. Finkelstein grabbed at JOHN DOE 32's shirt and this time the attack was even more aggressive and brutal. Finkelstein put his hand down JOHN DOE 32's pants near his genitals and underwear. Although JOHN DOE 32 was wearing the required tzitzit garment, Finkelstein did not stop. JOHN DOE 32 cried in pain and grabbed Finkelstein's arm in an effort to remove his hand from JOHN DOE 32's pants. JOHN DOE 32 then went to the restroom and found red burn marks in his genital area that hurt for days later.

400. On another occasion some time later, JOHN DOE 32 found himself alone in a YUHS hallway with Finkelstein. Finkelstein shoved JOHN DOE 32 violently against a wall and thrust his hand down JOHN DOE 32's pants. JOHN DOE 32 grabbed Finkelstein's arm with both hands and screamed "No!" Fearing the aggressive treatment that left him with a genital area burn the last time, JOHN DOE 32 did not let go of Finkelstein's arm and they remained in that position for quite some time. Finkelstein then marched JOHN DOE 32 to his office, closed the door behind them, and instructed JOHN DOE 32 to sit down and "shut up." He came directly behind JOHN DOE 32, grabbed his neck, and whispered directly in his ear that if he turned around he would be kicked out of school for good. JOHN DOE 32 asked what he was doing and Finkelstein told him to "shut up" and if he turned around even a little bit, he would be immediately kicked out of school. JOHN DOE 32 looked forward as instructed, felt Finkelstein standing behind him, pressing into the chair and heard him breathing very heavily. He repeatedly warned John Doe 32 about turning around and what the consequences would be. This continued for a very long time.

401. Towards the end of tenth grade in 1973, JOHN DOE 32 was keeping a friend company while the friend was illicitly smoking a cigarette on the roof of the YUHS building. A security guard caught them and

Finkelstein was summoned up to roof. Finkelstein instructed the security guard to take the other student downstairs and told JOHN DOE 32 to wait. After the other student and security guard left, JOHN DOE 32 and Finkelstein started down the stairs. Just before they reached the landing, Finkelstein, who was to the left of JOHN DOE 32, turned and launched his whole body at JOHN DOE 32, wrapped his arms and legs around JOHN DOE 32 and tackled him to the ground. Finkelstein thus dragged JOHN DOE 32 to the floor and Finkelstein continued to wrap his arms around JOHN DOE 32 and began to hump and grind against his body. JOHN DOE 32 tried to push Finkelstein off of him, but Finkelstein would not stop. JOHN DOE 32 was finally able to stand with Finkelstein still violently pressing into him and managed with all his strength to push Finkelstein off of him, and screamed “What are you doing?”, “What are you doing?” and ran down the stairs.

402. Some weeks later, Finkelstein called JOHN DOE 32 into his office and told JOHN DOE 32 that he wanted him “out of the school”. He told John Doe 32 that he didn’t want to see him anymore and could either call his parents in to school and expel him or he could “voluntarily” leave.

403. As a direct and proximate cause of Finkelstein’s abuse and the misconduct of YU Defendants, JOHN DOE 32 suffered from anxiety,

depression, self-loathing, difficulty maintaining relationships, and a degree of sexual dysfunction. He constantly self-medicated himself by abusing drugs and alcohol. He had behavioral issues and went to two different high schools and went to two different universities, finally dropping out after not being able to concentrate due to drug use.

404. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 32 refused to have anything to do with religious Jewish life, which caused considerable tension and alienation from his family.

405. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 32 could not finish his schooling, could not attain a degree, even though he had very high abilities, has had difficulty maintaining employment, and for too long lived a self-destructive, meaningless and joyless life.

406. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 32 has suffered, and continues to suffer, from severe emotional pain, distress, and mental anguish.

John Doe 33

407. Plaintiff, JOHN DOE 33, attended YUHS from 1978 through 1981.

408. In or about 1978, Plaintiff JOHN DOE 33 began attending YUHS.

409. On numerous occasions during his time at YUHS, JOHN DOE 33 was sexually abused by George Finkelstein. The abuse occurred in Finkelstein's office at YUHS. During at least one of these incidents, Finkelstein told JOHN DOE 33 that he (Finkelstein) had the power to throw JOHN DOE 33 out of YUHS if JOHN DOE 33 did not submit to Finkelstein's sick and depraved conduct. Finkelstein perversely preyed upon JOHN DOE 33's love for his parents, and told him that it would break JOHN DOE 33's parents' hearts if JOHN DOE 33 were expelled from YUHS.

410. Finkelstein's abuse of JOHN DOE 33 included but was not limited to, Finkelstein touching and fondling JOHN DOE 33's body, including his genitals.

411. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 33 suffers from constant bouts of anxiety and depression.

412. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 33 has been diagnosed with PTSD and has required the services of multiple mental health professionals

(at considerable costs). In addition, has maintained various pharmacological regimens in an attempt to stabilize his mood and allow him to function in a reasonably competent manner. He needs medication in order to be able to sleep well at night.

413. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 33 has had difficulty maintaining employment.

414. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 33 has suffered from serious marital problems, including a degree of sexual dysfunction and severe emotional issues. These serious marital issues have also caused his children to suffer severe emotional distress.

415. As a direct and proximate cause of Finkelstein's abuse and the misconduct of YU Defendants, JOHN DOE 33 has suffered, and continues to suffer, from severe emotional pain, distress, and mental anguish.

**AS AND FOR A FIRST CAUSE OF ACTION:
NEGLIGENT SUPERVISION
(AGAINST ALL DEFENDANTS)**

416. Plaintiffs repeat and reallege each of the above paragraphs of this Complaint as if fully set forth herein.

417. At all material times, from 1969 through 1991, the YU Defendants knew of, or should have known of, its employee, George Finkelstein's, propensity for engaging in illegal, immoral sexual abuse of children.

418. Nevertheless, the YU Defendants carelessly and negligently failed to adequately supervise Finkelstein, even after specific complaints of sexual abuse had been lodged against Finkelstein by various students.

419. Indeed, in or about the late 1980s or early 1990s, after receiving numerous complaints of sexual misconduct against Finkelstein, the YU Defendants promoted Finkelstein and allowed him to assume the exalted position of YUHS Principal, which kept Finkelstein away from the supervision of any administrators, but in close proximity to many more unsuspecting and innocent boys (including numerous Plaintiffs) who fell victim to his predations.

420. As a direct and proximate result of Defendants' negligent supervision of Finkelstein, each of the Plaintiffs abused by Finkelstein suffered sexual abuse, and resulting life-long physical, psychological and emotional harm. All of this harm – to Plaintiffs and other victims of Finkelstein – was reasonably foreseeable to the Defendants at the time of

their misrepresentations, affirmative misconduct, silence, and inaction in the face of Finkelstein's extraordinarily damaging misconduct.

421. The YU Defendants carelessly and negligently failed to adequately supervise Finkelstein, even after numerous specific complaints of sexual abuse had been lodged against Finkelstein by various students and other persons.

422. As a direct and proximate result of Defendants' aforesaid acts of negligent supervision of Gordon, each of the Plaintiffs abused by Gordon suffered sexual abuse, and resulting life-long physical and emotional harm. All of this harm to Plaintiffs was reasonably foreseeable to the Defendants at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Gordon's extraordinarily damaging misconduct.

423. At all material times, beginning in the late 1970s, the YU Defendants knew of, or should have known of, its dorm counselor's, Richard Andron's, propensity for engaging in illegal, immoral, and patently offensive, sexual abuse of children.

424. The YU Defendants carelessly and negligently failed to adequately supervise Andron, even after specific complaints of sexual abuse had been lodged against Andron by various students.

425. Indeed, in or about the late 1970s through the 1980s, after receiving numerous complaints of sexual misconduct against Andron, the YU Defendants allowed and in fact encouraged Andron to have unfettered access to YUHS students, in the YUHS dormitories and elsewhere, which directly caused many more unsuspecting and innocent boys to fall victim to his predations.

426. Upon information and belief, numerous complaints about Andron's sexual abuse of minor students were made to YUHS's Principal, George Finkelstein, but Finkelstein—himself a serial abuser of children—took no action to protect YUHS students from Andron, but instead continued to encourage YUHS students to spend time with Andron (including overnight stays at Andron's apartment).

427. At all material times, despite having actual knowledge of Andron's repeated sexual abuse of children, the Defendants negligently and carelessly permitted Andron to work with (and have access to) young boys, to entertain young boys both on and away from school grounds, and to prey on those boys he deemed vulnerable to abuse.

428. As a direct and proximate result of Defendants' aforesaid acts of supervision of Andron, each of the Plaintiffs abused by Andron suffered sexual abuse, and resulting life-long physical, psychological and emotional

harm. All of this harm to Plaintiffs was reasonably foreseeable to the Defendants at the time of their misrepresentations, affirmative misconduct, silence, and inaction in the face of Andron's extraordinarily damaging misconduct.

429. The YU Defendants carelessly and negligently failed to adequately supervise Andron, even after specific complaints of sexual abuse had been lodged against Andron by various students.

430. The above-stated acts and omissions of Defendants demonstrated a reckless and conscious disregard of the rights, health, and safety of Plaintiffs, and were so malicious, willful, and wanton as to constitute a grievous injury to the public-at-large, as well as to the Plaintiffs; and, as such, give rise to punitive damages.

431. At all material times, Plaintiffs were not aware of any YUHS rules or regulations or policies concerning or addressing sexual abuse, sexual harassment, and sexual misconduct of YUHS students, such as Plaintiffs, by Finkelstein, Gordon, and/or Andron.

432. Upon information and belief, during all material times herein, when Plaintiffs were enrolled in YUHS and communicating and otherwise interacting with Finkelstein, Gordon, and/or Andron, each Plaintiff was entrusted by his parent[s] to the care of all Defendants and during such

periods the Defendants were acting in the capacity of *in loco parentis* because Defendants assumed custody and control over each Plaintiff as a minor child and as a student at YUHS.

433. Upon information and belief, Finkelstein used his position of trust and authority vested in him by the Defendants for the purpose of sexually abusing numerous Plaintiffs (as stated above).

434. Upon information and belief, Gordon used his position of trust and authority vested in him by the Defendants for the purpose of sexually abusing numerous Plaintiffs (as stated above).

435. Upon information and belief, at all material times, Defendants had the duty to exercise the same degree of care and supervision over their students including each Plaintiff under their control as a reasonably prudent parent would have exercised under the same circumstances.

436. This means that Defendants assumed a duty of care to protect the safety and welfare of each Plaintiff as a student at YUHS. At all material times, Defendants owed a duty to each Plaintiff to provide a safe and nurturing educational environment, where he would be protected from administrators and teachers and staff and associates like Finkelstein, Gordon and Andron, who were under the employment and/or supervision and control of the Defendants.

437. Upon information and belief, during Finkelstein's employment by Yeshiva University at YUHS and while Plaintiffs were students in YUHS's care, Defendants failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

438. Upon information and belief, during Gordon's employment by Yeshiva University at YUHS and while Plaintiffs were students in YUHS's care, Defendants failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

439. Upon information and belief, during Andron's affiliation and association with Yeshiva University and YUHS, and while Plaintiffs were students in YUHS's care, Defendants failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

440. During all material times, Yeshiva University and YUHS owed a special duty to each Plaintiff that required Yeshiva University and YUHS to take reasonable steps to anticipate such behavior from its employees and associates like Finkelstein and/or Gordon and/or Andron, which threatened the safety of students including each Plaintiff.

441. At all material times, Defendants had a duty to properly supervise Finkelstein as their employee because of their duty of care to each Plaintiff.

442. At all material times, Defendants had a duty to properly supervise Gordon as their employee because of their duty of care to each Plaintiff.

443. At all material times, Defendants had a duty to properly supervise Andron as their associate because of their duty of care to each Plaintiff.

444. At all material times, each Plaintiff reposed his trust and confidence as a student and minor child in Defendants, who occupied a superior position of influence and authority over each Plaintiff to provide each Plaintiff with a safe and secure educational environment.

445. Upon information and belief, at all material times, Defendants knew or should have known of Finkelstein's propensity to sexually abuse minor students.

446. Upon information and belief, at all material times, Defendants knew or should have known of Gordon's propensity to sexually abuse minor students.

447. Upon information and belief, at all material times, Defendants knew or should have known of Andron's propensity to sexually abuse minor students.

448. Upon information and belief, the Defendants negligently failed to adequately implement a reasonable or effective supervisory system, plan, protocol or procedure for supervising personnel so as to prevent inappropriate, offensive, sexual and/or abuse or contact of students by Yeshiva University or YUHS employees or associates.

449. Upon information and belief, Defendants' failure to supervise, includes but is not limited to: failure to supervise Finkelstein in his office, failure to supervise Gordon in his classrooms, failure to supervise Finkelstein and Gordon in YUHS common areas, such as hallways and stairwells, failure to supervise Finkelstein, Gordon, and Andron in YUHS dormitories, failure to monitor and/or restrict adult activities (and appearances) in YUHS dormitories, failure to provide YUHS students with privacy in their dormitories, failure to respond to myriad abuse complaints about Finkelstein, Gordon, and Andron, failure to monitor and/or restrict YUHS students' visits to the homes of Finkelstein, Gordon and Andron, failure to supervise Gordon's classroom during instructional time and non-instructional time when he associated with students, and the failure to

adequately supervise students during non-instructional time on the YUHS/Yeshiva University campus.

450. Upon information and belief, the injuries to Plaintiff resulted from Defendants' failure to provide each Plaintiff the supervision of a parent of ordinary prudence under the same circumstances.

451. Defendants were wanton, reckless, officially tolerant and deliberately indifferent to abuse of Plaintiffs by Finkelstein, Gordon, and Andron.

452. By reason of the foregoing, each Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and each Plaintiff has become and will continue to be obligated to expend sums of money for medical expenses.

453. By reason of the foregoing, Defendants are liable to Plaintiffs for punitive and exemplary damages.

454. Plaintiffs' First Cause of Action (for Negligent Supervision) is timely, pursuant to The Child Victims Act that was enacted into law on

February 14, 2019. Indeed, each Plaintiff alleges that Defendants committed intentional or negligent acts or omissions which resulted in each Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

455. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

456. The amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION:
NEGLIGENT RETENTION
(AGAINST EACH OF THE DEFENDANTS)**

457. Plaintiffs repeat and reallege each of the above paragraphs of this Complaint as if fully set forth herein.

458. Upon information and belief, as more fully alleged above, Defendants' duty of care to the Plaintiffs included a duty not to retain employees like Finkelstein and Gordon, who would use their positions of authority and influence to harm students such as Plaintiffs.

459. Upon information and belief, Defendants knew or should have known that Finkelstein and Gordon were grooming Plaintiffs for the purpose of sexually abusing them and failed to take any steps to stop the abuse or prevent harm to Plaintiffs.

460. Upon information and belief, Defendants knew or should have known that Finkelstein and Gordon were each sexually abusing numerous students, including Plaintiffs, and/or knew or should have known of Finkelstein's and Gordon's propensity to sexually abuse minor students with whom they came in contact.

461. When Plaintiffs were in their care, said Defendants failed to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

462. Defendants were wanton, reckless, officially tolerant and deliberately indifferent to abuse of each of the Plaintiffs (as described above) by Finkelstein and Gordon.

463. Defendants are liable to Plaintiffs as a result of their negligence, carelessness, recklessness, official tolerance and deliberate indifference to the harm caused to Plaintiffs by Finkelstein and Gordon.

464. By reason of the foregoing, each Plaintiff sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and each Plaintiff has become and will continue to be obligated to expend sums of money for medical expenses.

465. That by reason of the foregoing, Defendants are liable to Plaintiffs for punitive and exemplary damages.

466. Plaintiffs' Second Cause of Action (for Negligent Retention) is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, each Plaintiff alleges that Defendants committed intentional or negligent acts or omissions which resulted in each Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in

Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

467. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not limited to, CPLR § 1602(7).

468. That the amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION:
NEGLIGENT FAILURE TO PROVIDE A SAFE AND SECURE
ENVIRONMENT
(AGAINST ALL DEFENDANTS)**

469. Plaintiffs repeat and reallege the above paragraphs of this Complaint as if fully set forth herein.

470. At all material times, as more fully set forth above, Defendants had the duty to exercise the same degree of care and supervision over the students under their control as a reasonably prudent parent would have exercised under similar circumstances.

471. During all material times, Yeshiva University and YUHS owed a special duty to each Plaintiff as a student. This special duty required Yeshiva University and YUHS to take reasonable steps to anticipate such threats from its employees and associates like Finkelstein, Gordon, and Andron which threatened the safety of Plaintiffs and similarly situated students at YUHS.

472. Upon information and belief, by virtue of both their duty of care to each Plaintiff and the positions of authority and influence they exercised over him, Defendants had a duty to each Plaintiff to provide her a reasonably safe and secure environment at YUHS.

473. Upon information and belief, Defendants failed to provide a reasonably safe environment to each Plaintiff by failing to exercise the degree of care that a reasonably prudent parent would have exercised under similar circumstances.

474. As a result, Defendants are liable to Plaintiffs for their negligent failure to provide a reasonably safe and secure environment.

475. By reason of the foregoing, Plaintiffs sustained physical and psychological injuries, including but not limited to, severe emotional distress, depression, humiliation, embarrassment, fright, anger, anxiety, and loss of educational opportunity and has been caused to suffer pain and

mental anguish, emotional and psychological damage as a result thereof, and, upon information and belief, some or all of these injuries are of a permanent and lasting nature; and each Plaintiff has become and will continue to be obligated to expend sums of money for medical expenses.

476. That by reason of the foregoing, Defendants are liable to Plaintiffs for punitive and exemplary damages.

477. Plaintiffs' Third Cause of Action (for NEGLIGENT FAILURE TO PROVIDE A SAFE AND SECURE ENVIRONMENT), is timely, pursuant to The Child Victims Act that was enacted into law on February 14, 2019. Indeed, each Plaintiff alleges that Defendants committed intentional or negligent acts or omissions which resulted in each Plaintiff suffering physical, psychological or other injuries or conditions as a direct and proximate result of conduct which constitutes a sexual offense committed against a child less than eighteen years of age, as defined in Article 130 of the New York Penal Law. This action, moreover, has been filed not earlier than six months after, and not later than one year and six months after, the effective date of the newly added CPLR § 214-g (February 14, 2019).

478. It is hereby alleged pursuant to CPLR § 1603 that the foregoing cause of action is exempt from the operation of CPLR § 1601 by reason of one or more of the exemptions provided in CPLR § 1602, including but not

limited to, CPLR § 1602(7) and § 1602(11).

479. That the amount of damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

AD DAMNUM CLAUSE

WHEREFORE, based on the aforesaid, Plaintiffs hereby respectfully demand judgment in their favor and against each of the Defendants, jointly and severally, together with compensatory and punitive damages, and the interest, costs and disbursements pursuant to the causes of action herein, as well as any other, different or further relief to which this Court may seem just, necessary, or proper.

DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand a trial by jury of all issues so triable.

Dated: August 22, 2019
Orangeburg, New York

Respectfully submitted,

KEVIN T. MULHEARN, P.C.

Kevin T. Mulhearn /S

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RONALD A. PHILLIPS, ESQ.**

Attorneys for Plaintiffs

VERIFICATION

STATE OF NEW YORK)
) ss
COUNTY OF ROCKLAND)

I, KEVIN T. MULHEARN, the undersigned, an attorney duly admitted to practice law in New York State, hereby state and affirm, under penalty of perjury, that I am one of the attorneys for Plaintiffs in the above-entitled action.

I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge except as to those matters stated therein to be alleged on information and belief, and as to those matters I believe them to be true.

The grounds of my belief as to all matters not stated upon my own knowledge are based upon my reasonable belief in those matters, numerous communications with my clients, the materials and documents in my file, and the investigations conducted by my office.

This verification is made by me and not by my clients because most if not all of my clients reside outside of Rockland County, the County where I maintain my office.

Dated: August 22, 2019

Kevin T. Mulhearn /S

KEVIN T. MULHEARN